

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
February 6, 2002**

The Board of Supervisors of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., February 6, 2002, in the Board of Supervisors' Conference Room, 301 W. Jefferson, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman; Andy Kunasek, Jan Brewer, Mary Rose Wilcox, Fran McCarroll, Clerk of the Board; and Shirley Million, Administrative Coordinator. Also present: David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

**INVOCATION**

Michelle Beasley, Clerk of the Board's Office, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Eric Latto, City of Mesa, led the assemblage in the Pledge of Allegiance.

**INTRODUCTION OF SELECT MEMBERS OF HEAD START FEDERAL REVIEW TEAM**

Rich Marshall, Director of Human Services for the Head Start programs, and Dr. Kathy Hayden, Assistant Human Services Director for Education, reviewed some of the accomplishments of the Head Start and Early Head Start programs in Maricopa County. Mr. Marshall assumed his position in 1995 and instigated the turn-around plan to improve all phases of the program, particularly the educational portion. Mr. Marshall said that Maricopa County's Head Start and Early Head Start programs, which serve 2,300 families, are now one of the largest, most successful, most respected Head Start programs in the country and the highest rated programs in Region IX, which includes California, Nevada, Arizona and Hawaii. Maricopa County has the only Program in Region IX designated as a Program of Achievement. Dr. Hayden informed the Board that nearly 400 people were involved in working in some phase of this very successful Head Start program. Three select members of a 21-member federal review team from the U.S. Department of Health and Human Services, Region IX, Head Start Bureau were introduced. They will administer the Prism Project for one week as a means of reviewing the progress and performance of Head Start in this County. (C2202151M) (ADM650)

Chairman Stapley and Supervisor Wilcox lauded the improvements and progress that have been introduced into the program and congratulated Dr. Marshall and Dr. Hayden on the many honors that have been bestowed on the County's Head Start program because of their continued dedication to successfully implementing the turn-around plan that has benefited thousands of children and their families since 1995.

**POINT OF PERSONAL PRIVILEGE**

Supervisor Brewer introduced Mr. Max Wilson, a retired vice mayor, now a town council member, of the Litchfield Park Council.

**RESTRICTED GRANT MONIES FROM PETsMART CHARITIES AND ADDITION TO FLEET OF TWO VANS**

Item: Approve the acceptance of \$40,000 restricted donation monies made by PETsMART Charities through the Business Office of Animal Care & Control (AC&C) to be used to purchase two mobile transport units. Additionally, approve an increase in Animal Care & Control's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$40,000. Approve the addition to the AC&C fleet, two full-size cargo vans to be purchased with the \$40,000 restricted donation monies to be used to

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transport adoptable pets to PETsMART stores and off-site events. Operational costs for the vehicles will come from budgeted AC&C funds. (C79020553) (ADM3100) (ADM2300)

Ed Boks, Director of Animal Care and Control Services, came to the meeting with two well-behaved dogs that he said would be available for adoption at the PetMobile later in the day. He reported that 2001 had been an incredible year for Animal Care and Control and had resulted in their being named the #1 pet adoption agency in the United States and perhaps in the world. He indicated they had adopted out 21,000 animals in 2001 and were expecting to increase placements to 22,000 in 2002. He said the service had taken in more animals the past year, 62,000, than in any other year in the past ten years.

Mr. Boks lauded the partnership that has evolved between his agency and PETsMART Charities and said that without their generous and continued donations Animal Services could never have reached such lofty goals as had been achieved. He cited their donation of \$145,000 to help fund the construction of the busy East Valley Spay/Neuter Clinic. He stated that every animal adopted out by the service has been altered, and surmised that this is responsible for the nearly 50% decrease in the County's pet euthanasia rate. He said that PETsMART is now donating \$40,000 towards the purchase of two cargo vans to transport animals.

Joyce Briggs, Executive Director of PETsMART Charities and Phil Francis, President of PETsMART, Inc., presented the \$40,000 check to Chairman Stapley and Director Boks.

Chairman Stapley said that this marked the beginning of a monthly opportunity in which adoptable pets would be present and featured at a Board of Supervisors' meeting to help make the public even more aware of their availability as adoptable family pets. He said it is amazing to find such a high caliber of animals as those that eventually end up at Animal Care and Control and said that most of those animals would make excellent pets.

Supervisor Brock challenged those present in the assembly to pet the two dogs because to do so was "addictive" and he suggested they would then want to adopt a pet to take home. He called attention to the "danger of the petting technique" by saying that he had already adopted a dog and a cat for his family by doing so. Supervisor Brock thanked Mr. Francis and Ms. Briggs and said that this is another example of public/private partnership that has been highly successful. He indicated that the County would like to add more PetMobiles to their fleet and remarked that whenever he calls to try to schedule the current PetMobile he has had no luck because it has always been booked. He also mentioned that the County's Animal Service only deals in cats and dogs and that snakes, turtles and other exotics "need not apply" because they are not equipped to handle them.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the acceptance of the \$40,000 donation from PETsMART Charities

**LIQUOR LICENSE APPLICATIONS**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brewer, and seconded by Supervisor Wilcox, to recommend approval of the following liquor license applications:

- a. Application filed by William Charles Faulwetter for a Special Event Liquor License: (F22997)

Business Name: Knights of Columbus  
Location: 9728 Palmeras Drive, Sun City

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Date and Time: Saturday, February 16, 2002; 5:00 p.m. – 11:00 p.m.

- b. Application filed by Kenneth Smithee for a Special Event Liquor License: (F22997)

Business Name: Pioneer Arizona Living History Village/Arizona Pioneer Foundation  
Location: 3901 West Pioneer Road, Phoenix  
Dates and Times: Saturday, February 23, 2002; 9:00 a.m. – 9:00 p.m.  
Sunday, February 24, 2002; 12:00 noon – 5:00 p.m.

- c. Application filed by Fay L. Stewart for a Temporary Extension of Premises/Patio Permit: (ADM664)

Business Name: Desert Rose  
Location: 18300 South U.S. Highway 80, Arlington  
Date: Saturday, February 9, 2002

- d. Application filed by Doyle Dean Thompson for an Original, Series 12 Liquor License: (F22994)

Business Name: Gavilan Peak Pizzeria  
Location: 46639 North Black Canyon Highway, New River

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Brewer and Wilcox voting “aye” and Supervisor Brock voting “no.”

**PUBLIC HEARING – STREET NAME CHANGES IN ANTHEM**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brewer, and seconded by Supervisor Brock, and unanimously carried (5-0) to change the following street names. The requests were made by Anthem Arizona LLC, to correct platting errors. (ADM2018)

- a) Katmai Drive to Powell Drive (C44020020)
- b) Kenai Drive to Plymouth Drive (C44020030)
- c) Club Point Road to Bridlewood Way (C44020040)

**ORGANIZE SAGEWOOD UNIT TWO STREET LIGHTING IMPROVEMENT DISTRICT**

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, and seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the organization of Sagewood Unit Two Street Lighting Improvement District, located in the vicinity of University Avenue and 102<sup>nd</sup> Street, and appoint the Superintendent of Streets as District Engineer. The district purpose is to establish street lighting facilities and purchasing electric service for the lighting of public streets and parks within the area. A petition representing 100% of the property owners of the Sagewood Unit Two Subdivision has been presented requesting the formation of a street lighting improvement district. Inasmuch as this is a 100% district, the hearing to organize was held on this date. (C64021637) (ADM4302)

**ORDER ESTABLISHING  
SAGEWOOD UNIT TWO STREET LIGHTING IMPROVEMENT DISTRICT**

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A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, on praying for the establishment of Sagewood Unit Two Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 6<sup>th</sup> day of February, 2002, at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

the east half of the southeast quarter of the southwest quarter and the west half of the southwest quarter of the southeast quarter of the southwest quarter of section 14, township 1 north, range 7 east of the gila and salt river base and meridian, maricopa county, arizona

except the south 40 feet; and also

except the east 25 feet; and also

except the west 25 feet; and also

except the north 25 feet; and also

except that part of the south 266.00 feet of the east 316.00 feet of the said west half lying south of and east of the following described line:

commencing at the south quarter corner of said section 14;

thence north 89°50'03" west along the south line of the said southwest quarter of section 14, a distance of 992.40 feet to the east line of the said west half;

thence north 00°10'37" east along said east line, a distance of 266.00 feet to the north line of the south 266.00 feet of said west half, being the true point of the beginning of the exception line;

thence north 89°50'03" west along the north line of the south 266.00 feet, a distance of 286.00 feet;

thence south 45°10'50" west, a distance of 42.42 feet to the west line of the east 316.00 feet of said west half;

thence south 00°10'37" west along said west line, a distance of 236.00 feet to the south line of the southwest quarter of said section 14 and the terminus of said exception line.

(containing 7.198 acres more or less)

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And further declares that said district is now established under the name of Sagewood Unit Two Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

DATED this 6<sup>th</sup> day of February 2002.

/s/ Don, Stapley, Chairman, Board of Supervisors

ATTEST

/s/ Fran McCarroll, Clerk of the Board

**CAREER PROGRESSION PLAN - COUNTY ATTORNEY'S OFFICE**

Item: Approve the Maricopa County Attorney's Office Career Progression Plan which reduces the number of job classifications from over 70 to 10 (not including Information Technology). The plan provides for a senior range for eight job categories and management pay for six job categories. Over the last three fiscal years, the County Attorney's Office has incurred turnover at a rate above the average for Maricopa County as a whole. Many employees left the office to receive higher salaries in other organizations. In an effort to develop a more effective compensation plan, the County Attorney's Office hired the national compensation firm of Fox Lawson & Associates, which specializes in public sector human resources development. In the Spring of 2001, Fox Lawson & Associates issued a report which included recommendations for a new classification and compensation plan. The express procedures of the Career Progression Plan are consistent and in compliance with the provisions of the Maricopa County Employee Compensation Plan. In all other instances, the Maricopa County Employee Merit System Resolution and Rules, Personnel Procedures and other personnel policies shall apply. In order to implement the Management Pay portion of the Plan costing approximately \$100,000, the County Attorney and the Office of Management and Budget have agreed to use County Attorney general fund personnel savings. (C19020206) (ADM411)

Motion was made by Supervisor Brock and seconded by Supervisor Brewer to approve the Career Progression Plan as presented.

Supervisor Brock said he had not been briefed on this matter and asked to receive an explanation of the plan before the vote.

Carol McFadden, County Attorney's Office, said the County Attorney had requested a study be made to determine recommendations which would enable their office to operate more efficiently and effectively and which would improve employee relations in order to effect a reduction in their attrition ratio. She indicated that following the study job classifications in the County Attorney's Office had been reduced from more than 70 to approximately 10. She said that already in this fiscal year starting salaries in that office have been addressed, they have seen a significant reduction in turnover, and have addressed competitive management pay levels. She said that they now have approximately 50 division chiefs in the office for more than 900 employees.

Supervisor Brock asked what the financial impact was expected to be in terms of actual amounts.

Chris Bradley, OMB (Office of Management and Budgets) said this was a "holdover issue" from the compensation adjustments that took place last July. He explained that the impact on an annualized basis was an increase of approximately \$200,000 a year but the County Attorney's Office believes they can absorb this increase by adjusting the personnel savings factor within their budget. They have been achieving more savings than was originally anticipated due to vacancies and the resulting saved salaries.

**~ Supervisor Brewer left the meeting ~**

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The earlier motion carried unanimously, (4-0-1), to approve the Career Progression Plan as presented.

**~ Supervisor Brewer returned to the meeting ~**

**GRANT FUNDS FOR THE COMMUNITY GUN VIOLENCE PROSECUTION PROGRAM**

Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to approve receipt of grant funds from the U.S. Department of Justice for the Community Gun Violence Prosecution Program in the amount of \$480,000. The grant funds shall be for the period of November 1, 2001, to October 30, 2004. The grant match for FY 2001-2002 in the amount of \$47,123 will be funded by the County Attorney's Office using personnel savings. The annualized match to be funded by the County Attorney's Office using personnel savings in subsequent fiscal years will be \$70,684. (C19020283)

**UPGRADE COMPUTER SERVER HARDWARE FOR COUNTY ATTORNEY'S OFFICE**

Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to approve the purchase of a Storage Array Controller, additional hard drives, and additional memory for a County Attorney HP 9000 mid-range server in the amount of \$26,340. The Storage Array Controller supports the data center and business application development/support activities of the information technology program. Should the existing storage array controller fail or existing storage fill to capacity, vital data could be lost or become corrupt. The additional storage array controller is required for redundancy and fault tolerance to ensure that vital confidential information is not lost due to equipment failure. The equipment will be paid with the County Attorney's General Fund appropriation. (C19020338) (ADM400)

**INCREASE IN FY GRANT AGENCY BUDGET TO PURCHASE GANG DATABASE**

Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to approve an increase in FY 2001-2002 grant agency budget by \$76,000 to purchase a gang database developed by the Department of Public Safety. This approval will allow the department to effectively use one-time grant carry-over (fund balance) funds. (C19020358) (ADM400)

**RENEWAL OF AGREEMENT FOR LEGAL SERVICES WITH JERRY FRIES**

Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to renew the agreement for Legal Services through the Maricopa County Attorney's "of-Counsel" program between Maricopa County and Jerry Fries effective February 1, 2002. The initial term of the prior agreement was from July 1, 1999, through June 30, 2001, and was renewed through January 31, 2002. The initial agreement provided for up to two 2-year renewal options. Mr. Fries' services have proven valuable to the county in the tax appeal practice area in particular, and the County Attorney's Office recommends that the agreement be renewed at this time for a six-month period through July 31, 2002. The agreement provides that Mr. Fries will be paid on a pro-rated retainer basis at the rate of \$4,000 monthly for the six months for a total of \$24,000 (based on \$60 per hour x 400 hours). Mr. Fries will also be paid at the rate of \$60 an hour for hours worked over 400 up to 600. The hourly rate increases to \$75 per hour for hours worked in excess of 600 up to 750, and for hours in excess of 750 during the six-month renewal term the hourly rate increases to \$90 an hour. (C19990230) (C1902036M)

**PROSECUTION OF LAWSUIT AGAINST LA PAZ COUNTY OR OTHER ENTITIES**

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Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to authorize the prosecution of a lawsuit against La Paz County or other entities, seeking to recover for services rendered by MIHS to Dorothy Mistretta and to take all further actions necessary to recover for the services rendered. (Discussed in Executive Session on December 17, 2001.) (C19020370) (ADM413)

**FILING OF SPECIAL ACTION**

Motion was made by Supervisor Brock, seconded by Supervisor Brewer, and unanimously carried (5-0) to authorize the filing of a special action appealing two recent superior court rulings ordering the Maricopa County Office of Contract Counsel to pay for certain expenses of witness interviews and other pre-trial defense investigative costs in cases where defendants are represented by private counsel. (Discussed in Executive Session on February 4, 2002.) (C1902039M) (ADM413)

**~ Supervisor Brewer returned to the meeting ~**

**INCREASES IN REVENUE AND EXPENDITURE BUDGET TARGETS**

Item: Authorize the Office of Management and Budget to increase the Election Department's FY 2002-2003 Revenue Budget Target by \$1,292,500 and Expenditure Budget Target by \$4,263,023 to cover increased costs of the 2002 General Election. (C2102004) (ADM1700)

Supervisor Kunasek asked Karen Osborne, Director of Elections, for a further explanation on this matter. She said that the election costs for the primary and general elections is \$1.5 million to pay the 7,700 polling place workers, that the ballots cost another \$1.5 million, early voting costs is just under \$1,000,000 and that ancillary costs make-up the remainder of the amount. She said that through their use of the developing MFR program (Managing for Results) being implemented County-wide, they have reduced their expenditures enough to be able to absorb most of the costs for the newly created 26 precincts. She indicated that this budget increase happens only in election years.

Supervisor Kunasek asked why this had not been anticipated at the time the budget was being drawn up and included instead of having to request this increase.

Ms. Osborne said that since the County has determined not to increase budgets for next year, this increase must be charged forward to cover the fall elections.

Supervisor Brock commented on the fact that the Elections Department is actually a profit-center for the County. He lauded Ms. Osborne for the fact that the County does not have punch-card ballots any longer.

Ms. Osborne agreed and said, "We have no punch cards, we have no butterfly ballots, no chads, we are very pleased with the system that we have, it works well and is very easy to demonstrate to the public." She said this system is utilized across the County.

Supervisor Wilcox asked what the timeline was for the Justice Department to decide on accepting the proposed plan for district redistribution. She said she understood that the submission was going to be challenged.

Ms. Osborne said that the approval for the County would come sometime after the State's approval and the anticipated date is around March 15.

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Office of Management and Budget to increase the Election Department's FY 2002-2003 Revenue and Expenditure Budget Targets.

**PERMANENT ADDITION TO THE SHERIFF'S OFFICE FLEET OF TWO VEHICLES**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a modification to an agenda item that was originally approved by the Board on June 20, 2001, for a permanent addition to the Sheriff's Office fleet of two vehicles: one one-half ton Pickup truck with an extended cab and bed and one four-door compact sedan. The four-door compact sedan is requested instead of the 12-passenger van because the former configuration exceeded the expenditure authorization. These vehicles will be used by the jail transition team to support new jail planning and transition team functions as related to the new adult detention facilities. At the conclusion of the new jail project, these vehicles will be used by detention personnel at the new jail facilities. Maintenance, operational funds, decal marking and alternative fuel conversion are included in the jail transition team FY 2001-2002 recommended budget. Equipment Services has been consulted. Vehicle delivery will not take place until after July 1, 2001. (C5001120M01) (ADM3100)

**GRANT FUNDING - CERTIFIED SPECIAL EDUCATION TEACHER TRAINING**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve acceptance of \$50,000 in grant funding from the Department of Education to provide funding for a Certified Special Education Teacher, training funds and materials. The staff needs screening - assessment training in order to initiate additional special education services to inmates of up to age twenty-two. Currently, instructors only provide direct student services. We do not have sufficient staff to begin the important IDEA component to identify inmates who are eligible for special education services. Also, approve an increase in the Sheriff's Office FY 2001-2002 Grant Revenue and Expenditure levels by \$50,000. (C50020493)

**GRANT FUNDING FROM ARIZONA EMERGENCY MEDICAL SYSTEMS, INC.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve acceptance of \$12,500 in grant funds from the Arizona Emergency Medical Systems, Inc. (AEMS) for the purchase of medical supplies for the Sheriff's Office, Lake Patrol Division. Funding expires June 30, 2002. Also, approve an increase in the Sheriff's Office FY 2001-2002 grant revenue and expenditure levels by \$12,500. (C50020503)

**PURCHASE OF S.W.A.T. VAN REPLACEMENT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of a S.W.A.T. van replacement in an amount not-to-exceed \$150,000 from FY 2001-2002 budgeted in the General Fund Vehicle Replacement. The current unit's weight capacity is obsolete for the required needs of today's Tactical Operations Command Unit (TOU) creating potential safety and reliability issues when responding to calls. The Board-approved acquisition of this item on September 5, 2001. Timing issues resulted in its becoming subject to Budget Administration Memo No. 8, Equipment Purchase Requests and Exemptions to Budget Balance Plan. (C5002051M) (ADM3100)

**PURCHASE OF COOK/CHILL UNIT REPLACEMENT**



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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of a cook/chill unit replacement to process donated fresh food for feeding inmates using FY 2001-2002 Detention Fund Major Maintenance in an amount not-to-exceed \$75,000. (C5002052M) (ADM3900-002)

**SHERIFF'S OFFICE PARTICIPATION IN THE NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK PROGRAM**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Memorandum of Understanding (MOU) between Maricopa County Sheriff's Office and the Bureau of Alcohol, Tobacco and Firearms (ATF) to participate in the National Integrated Ballistic Information Network (NIBIN) program. If funded by the federal government, the cost for installation of NIBIN equipment will be approximately \$2,250 and will come from RICO funds. The ATF will provide training and reimburse the Sheriff's Office for travel expenses associated with training. (C50020540)

**PURCHASE OF TEN PERSONAL COMPUTING UNITS AND SOFTWARE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a Non-capital Equipment Purchase Exemption to the Budget Balancing Plan for the purchase of ten personal computing units and software for the Sheriff's Office Jail Transition Team totaling \$17,306. These items are included in the jail transition team FY 2001-2002 recommended budget. (C5002056M) (ADM3900-002)

**GRANT AWARD FROM ARIZONA DEPARTMENT OF EDUCATION**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to accept an FY 2001-2002 grant award from the Arizona Department of Education, for the Maricopa County Juvenile Probation Department in the amount of \$184,412 to fund seven Safe School Probation Officer positions. Approve an increase to the Juvenile Probation Department's FY 2001-2002 budget and expenditure level in the amount of \$184,412 in grant funding. It is County Counsel's opinion that Maricopa County can accept additional grant funding. A match is not required for this grant. This grant does not allow for indirect cost recovery. (C27020053)

**APPOINTMENT OF ATTORNEYS AS SUPERIOR COURT JUDGE PRO TEMPORES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the appointment of attorneys as Superior Court Judge Pro Tempores to serve in the various programs in the Superior Court to reduce trial delay from January 1, 2002, through June 30, 2002. (C38020167) (ADM1001)

**TENDER AGREEMENT - FOR COMPLETION OF THE JUVENILE RESIDENTIAL TREATMENT CENTER FACILITY AT DURANGO**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Chairman to execute a Tender Agreement among Maricopa County, Travelers Casualty & Surety Co. and a completion contractor for completion of the Juvenile Residential Treatment Center Facility at Durango (Contract JE01-06), in substantially the form attached, provided that the completion contractor is deemed satisfactory by the Director of the Criminal Justice Facilities Development Department and provided further that the lump sum of the Completion Contract is no greater than \$4,028,752 plus any amount which Traveler's agrees to pay to the County pursuant to the Tender Agreement. (C4001027101)

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**INCREASE IN HEALTH CARE MANDATES; INTERNAL REALLOCATIONS; AND INCREASE IN BUDGET TARGET**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following actions:

- a) Increase in FY 2001-2002 Health Care Mandates, Maricopa Integrated Health Systems and Elimination's lump sum revenue and expenditures budgets by \$45,895,500, required due to a mandated increase in the Disproportionate Share revenue and sales tax withholding;
- b) Internal reallocation for the Health Care Mandate budget due to a mid-year increase in Arizona Long Term Care System (ALTCS) contributions and the restoration to competency charges which will be absorbed within the increased expenditure budget; and
- c) Authorize Office of Management and Budget to increase Health Care Mandate's FY 2002-2003 Budget Target by not-to-exceed \$20 million to cover increases in the ALTCS contribution, Prop 204 Contribution, restoration to competency and any increases in the Arnold v. Sarn intergovernmental agreement.

Disproportionate Share payments are "non-local" revenues for purposes of the constitutional expenditure limitation, therefore, expenditure of the funds is not constrained by the budget law according to a legal opinion from County Counsel. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to ARS §42-17105. (C39020118) (ADM2100)

**PERSONNEL AGENDA**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Personnel Agenda (Judicial Branch and Maricopa County). (List on file in the Clerk of the Board's Office.)

**REVISED GENERAL GOVERNMENT POLICY & PROCEDURES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the revised General Government Policy & Procedures (No. B1005). The Office of Management and Budget has corrected and updated the policy to reflect proper titles, proper grammar and is now inline with Managing for Results. (C49020326) (ADM1829)

**1. PURPOSE**

The purpose of this policy is to provide guidelines for development and administration of the General Government budget to County Departments so that the General Government budget is handled according to Board policy and direction.

- a) BUDGETED REVENUES

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The revenues budgeted in the General Government budget are revenues that may be specific to particular funds, but benefit several departments and not a particular department or program within a department. Examples of these revenues include:

- i) Property Taxes (General Fund and Debt Service Fund)
- ii) Anticipated Grants from outside sources
- iii) State Shared Sales Taxes
- iv) State Shared Vehicle License Taxes
- v) Cable TV Application Fees for franchise agreements with the County
- vi) Liquor Licenses fees
- vii) Jail Excise Taxes (Detention Fund)
- viii) Other Miscellaneous Revenue as appropriate.

**b) BUDGETED EXPENDITURES**

The expenditures budgeted in the General Government budget are general expenses not specific to a particular department, or which benefit the County as a whole. These expenses can include budgeted contingencies, general debt service, taxes and assessments, legal expenses, and various Board-approved special projects or initiatives

Expenditure items will be listed in the Recommended budget, and individual items are subject to Board approval:

**2. PROCEDURES**

**a) BUDGET PROCESS**

General Government will follow all County budgeting policies and guidelines including the approval process established by the Board of Supervisors. The Office of Management and Budget, along with the County Administrative Officer, will be responsible for developing the General Government budget for each fiscal year. The recommended budget will include an itemized schedule of proposed expenditures by fund.

**b) APPROVAL OF EXPENSES**

The Deputy County Administrator or designee must authorize all expenditures prior to processing. This authority has been delegated to the manager responsible for a particular item within General Government. If the expenditure is not approved it will be returned and absorbed within the budget of the department that submitted it.

**c) CONTINGENCY FUND**

If a contingency fund is adopted in the General Government budget during a fiscal year, General Fund departments can request funding for unanticipated expenditures or unfunded projects. These requests must be handled via a Board agenda item, and submitted by the responsible department. The Board of Supervisors must approve all requests for contingency funds.

**3. AUTHORITY/RESPONSIBILITY**

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The administration and maintenance of the General Government budget is the responsibility of the Office of Management & Budget. Expenditures charged to General Government must be approved by the Deputy County Administrator or designated to ensure that the expenditures are budgeted and appropriate.

Upon approval, the contingency budget will be reduced and the appropriate department appropriation or other General Government item will be increased.

**GENERAL FUND VEHICLE REPLACEMENT (B4002) - CONTINUED**

Approve amending the Policy for General Fund Vehicle Replacement (B4002) that provides guidelines to County departments so that existing vehicles can be replaced in a timely and cost-effective manner. Amendments would offer guidelines for the replacement of all county vehicles rather than specifying those to be replaced only from the General Fund. (C49020336) (ADM1829)

**This item was continued to the February 20, 2002, meeting.**

**ADJUST DEPARTMENT BUDGET TARGETS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Office of Management and Budget to adjust department budget targets for: (C49020371) (ADM1825)

- a. FY 2002-2003 estimated annualized costs of CY 2002 health and dental benefit premium increases;
- b. the estimated partial-year costs of anticipated health and dental premiums for CY 2003; and
- c. changes in retirement system employer contributions.

**ACCEPTANCE OF HIGHWAY SAFETY GRANT FROM GOVERNOR'S OFFICE OF HIGHWAY SAFETY AND ADDITION TO FLEET OF ONE VEHICLE**

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the acceptance of a Highway Safety Grant from the Governor's Office of Highway Safety in the amount of \$35,000 for Park Police DUI enforcement and approve the purchase of a 3/4 ton cargo van for Park Police staff and an intoxilyzer for DUI enforcement. It is further requested that the vehicle be added to the Maricopa County vehicle fleet. The cost of the van, including tax and warranty, is estimated to be \$28,500 and the intoxilyzer is estimated at \$6,500. These items will be included in the FY 2003 budget planning. This vehicle is consistent with the County's vehicle policy. Any vehicle replacement costs associated with adding this vehicle to the County fleet will be the responsibility of the requesting department and will be absorbed within the current and future budget appropriations. (C30020393) (ADM3100)

**PURCHASE OF TWO COMPUTERS**

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Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approval to purchase two computers (hard drive, monitor, keyboard, mouse, CD-ROM) utilizing the Electronic Government Technology Center (E-Gov/CIO). The total cost of the two computers would be \$2,325.68. This purchase would be paid for by utilizing funds in the current budget. No additional funding is requested. One computer would be used by a new position and the other to replace an employee's computer, which is over three years old and continually breaking down, requiring ATC staff's attention. (C34020010) (ADM3500)

### **FUND TRANSFERS**

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

### **TRANSFER OF COURT COLLECTIONS UNIT OPERATION FROM SUPERIOR COURT TO DEPARTMENT OF FINANCE**

Item: Approve the transfer of the Court Collections Unit operation from the Superior Court to the Department of Finance, as well as a \$120,317 expenditure budget transfer from the Superior Court to the Department of Finance. The \$120,317 budget transfer is a mid-year budget transfer. A reduction of \$120,317 will be made to the FY 2001-2002 Superior Court Budget. Should actual expenditures exceed the budget transfer amount of \$120,317, the Department of Finance and Superior Court will bring forward a subsequent action to the Board. The annualized budget transfer is \$293,982 and will be coordinated with the FY 2002-2003 budget process. Also, authorize upon County Counsel approval of the final form of the agreement, the execution of an Intergovernmental Agreement between Maricopa County and the Superior Court of Arizona, Maricopa County to effect this transfer of the court's collections function. (C18020038) (ADM1001) (ADM1800)

Supervisor Brock asked if the Justice Courts are covered by these Superior Court Collections. Tom Manos, Chief Financial Officer, said it is just Superior Court collections at this time. He remarked that they are in the middle of a study of accounts receivable throughout the County and will bring the information back to the Board with a recommendation as to which departments would benefit from a centralized process.

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the transfer of the Court Collections Unit operation from the Superior Court to the Department of Finance.

### **BID SERIALS**

Motion was made by Supervisor Brewer, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following bid serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

### **Award of Bids:**

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**01164-ROQ     SEXUAL PREDATOR MENTAL HEALTH PSYCHOLOGICAL EVALUATOR – MCSO** (\$600,000 est./three years with two, one-year renewal options)  
Pricing agreement recommendation to provide for Sexual Predator Mental Health Psychological Evaluators as requested by MCSO. This contract provides Psychologists for evaluation of certain inmates identified as sexual offenders as mandated by Arizona State Statute (A.R.S. §36-3701).

- .            Bruce Kushner, Ph.D.
- .            Terry Scritchlow, Ph.D.

**This item, 01164-ROQ, was withdrawn.**

**01174-S           WORKERS' COMPENSATION BILL REVIEW SERVICES** (\$450,000 est./three years with two, one-year renewal options)  
Pricing agreement recommendation to provide for Workers' Compensation Bill Review Services (medical) as requested by Risk Management.

- .            Advantage Workcomp Services, Inc.

**Contract Extensions:**

**Extension of the following contract(s):** (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

**Until April 30, 2003**

**00221-RFP       PRIMAVERA PROJECT PLANNER AND EXPEDITION SUPPORT** (\$500,000 est./one year)  
Price agreement extension Primavera Project Planner and Expedition Software Support. These software tools are used by MCDOT for construction planning and project management services.

- .            KJM & Associates

**Increase in the contract amount for the following contract(s).** This request was due to an increased usage by County departments:

**00008-SC       ADVERTISING SERVICES**  
Increase the value of pricing agreement from \$1,300,000 to \$1,841,784. This increase is needed in order to fund the ~~Sheriffs~~ **Sheriffs County Attorney** (correction was made by Fran McCarroll, Clerk of the Board) Department advertising campaign targeting youths and young adults with its anti-drug messages. This additional funding was not anticipated during the initial award process because the anti-drug advertisements were not in place or anticipated at that time. Original pricing agreement was approved by the Board on March 1, 2000.

- .            Arvizu Advertising & Promotions
- .            Arizona Lotus Corp.
- .            Arizona Republic, The
- .            Bliss Marketing/Multimedia
- .            Cablerep Arizona
- .            Chancellor Marketing Group/KFYI
- .            Clear Channel Radio
- .            Clear Channel Communications, Inc

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- . Clear Channel Communication
- . Cooley Advertising & Public Relations
- . Eller Media Company
- . Go Media Companies
- . Harris & Love, Inc.
- . Hearst Argyle Properties, Inc.
- . KGUN 9
- . KLJZ-FM
- . KNXV 15
- . KPNX BROADCASTING
- . KQST RADIO
- . KSAZ-TV
- . KTVK INC
- . KTVW
- . KUTP-TV TELEVISION, INC.
- . KYBC
- . Optimo Advertising
- . Outdoor Systems Advertising
- . Rita Sanders Public Relations & Advertising Agency, Inc.
- . Robert Brookson, Jr.
- . Skyview Satellite Networks
- . Southwest Media Productions Inc
- . Tribune

Supervisor Brock said that in light of the County's spending nearly \$2 million on advertising to target anti-drug messages, he'd like to know if public service announcements had been considered, to save money, and also which media outlets had proven to be the most receptive.

Carol McFadden, Executive Chief of the County Attorney's office, said the anti-drug messages would be broadcast throughout Maricopa County and the State of Arizona within the scope of the Partnership for a drug-free America program. She said the public service announcement spots occur in the middle of the night and early-morning hours. Consequently, the purchase of these advertisements will be for time considered to be more prime for the targeted viewers.

**CAPA Trainees**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

**Emergency Management**

Kamilah Manuel  
Sara Ramirez  
Rodney Wasson

**Facilities Management**

Jerry Lowe  
Rebecca Rivera

**Superintendent of Schools**

Melynda Ducusin-Martin  
Debbie Munoz

**Equipment Services**

Alex De Alba

**Public Health**

Marilyn Long

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**RENEWAL OF KENNEL PERMITS**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following renewals for kennel permits for the term of February 6, 2002, through February 5, 2003: (ADM2304)

- Marlene Ferguson, dba Ferguson Kennels, 20530 West Tee Pee Road, Buckeye, Permit No. 272 (C7902047C)
- Beverly Vasil, dba Vasil's Ranch, 9402 South 349<sup>th</sup> Avenue, Arlington, Permit No. 304 (C7902047C)
- Donna Bissing, dba Canine Rescue of Arlington, 9264 South 415<sup>th</sup> Avenue, Arlington, Permit No. 330 (C7902047C)
- Emilie Weddle-Cunningham, dba Soft Touch Rescue, 5333 North 30<sup>th</sup> Drive, Phoenix, Permit No. 332 (C7902047C)
- Teri Williams, dba Williams Kennels, 1687 South Villas Lane, Chandler, Permit No. 317 (C7902047C)
- Wilma Freeman, D.V.M., dba Freeman Kennels, 10837 West Miami Road, Tolleson, Permit No. 077 (C7902051C)
- Angel & Tomasa Acosta, dba Acosta Kennels, 3807 West Pierce Street, Phoenix, Permit No. 318 (C7902054C)
- Barbara Manaois, dba Barb's Dog House, 6020 West Acoma Road, Glendale, Permit No. 322 (C7902054C)
- Marilyn Roden, dba Marilyn Roden Kennel, 11400 South Airport Road, Buckeye, Permit No. 211 (C7902054C)

**KENNEL PERMITS**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve issuance of kennel permits for the following, for the term of February 6, 2002, through February 5, 2003: (ADM2304)

- Keri West, dba West Kennels, 17528 East Chestnut, Queen Creek (C7902048C)
- Ruben Ortiz, dba Nueva Vista, 443 South Hidalgo Road, Chandler (C7902053C)

**DONATIONS**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of donations made by citizens of Maricopa County through the Business Office of Animal Care & Control (AC&C) as follows: (ADM2300)

- a. \$1,052.40 for the period of November 2001. Additionally, approve an increase in Animal Care and Control's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$9,629.90. (C79020497)
- b. \$4,263.50 for the period of December 2001. Additionally, approve an increase in Animal Care and Control's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$10,229.50. (C79020567)



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Supervisor Kunasek remarked that donations made by PetSmart and other organizations are most welcome and very helpful he felt that the small donations made by citizens and individual donations are also very welcome and he didn't want these to be overlooked.

**WAIVER TO COMPENSATION PLAN, SECTION VI.A.**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a waiver to the Maricopa County Compensation Plan, Section VI.A. to allow a retroactive salary advancement for Animal Control Officer Don Tamuty, from \$11.75 per hour to \$12.56 per hour, with an effective date of August 6, 2001. The retroactive pay will come from budgeted funds and will not exceed \$478. (C79020527) (ADM3308)

**AWARD OF SOLE SOURCE CONTRACT TO PETDATA – ANIMAL LICENSING SERVICES**

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the award of a sole source contract to PetData to provide animal licensing services. Also, approve an increase in the FY 2001-2002 revenue and expenditure budgets for Animal Care and Control/Rabies and Animal Control Fund 572 in the amount of \$139,980. Authorize OMB to make budget target increase adjustments for FY 2002-2003 in the amount of \$725,018 for revenue and \$308,042 for expenditure. The budget can be increased at this time because the overall FY 2001-2002 County budget has been reduced below the level originally set by the Board at the Final Budget Adoption in June 2001. Also, approve the elimination of nine positions, three which are currently vacant (4175, 14652, and 4186) and six which are filled (19464, 14805, 4189, 4181, 4190, and 15004) which the incumbents will be RIF'd through the County's established Reduction-In-Force (RIF) process. The cost of \$2.85 is paid to the contractor for each license sold. There are no county general funds included in this contract. This contract is in effect for 3-years from the date approved by the Board. Contract fee payments are anticipated to be \$341,500 for FY 2002 based on historical license sales. Maricopa County may terminate this contract with 30-days notice to the contractor for failure to provide acceptable services stated within the agreement. Contractor is required to provide license turnaround time of 10-calendar days from receipt of license renewal application. (C79020571)

**AMENDMENT TO CONTRACT WITH MARICOPA COMMUNITY MEDICINE ASSOCIATES, INC. (MCMA)**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 3 to the existing contract between Maricopa County ("County") and Maricopa Community Medicine Associates, Inc. ("MCMA") for the provision of professional medical services. MCMA furnishes physicians and mid-level providers (physician assistants and/or nurse practitioners) to provide health care services to inmates at various clinics, infirmary, and inpatient sites within Maricopa County jails and detention facilities. Currently, MCMA provides only on-call service during non-operational hours. Providers do not actually come into the facilities to perform services, but as required, patients are transported by ambulance to ER facilities. On an average, CHS requires the use of ambulance and ER facilities 146 times per month at an average cost of \$488 per visit (ambulance = \$ 268; ER visit - \$120; two security personnel for three hours = \$100. During the period January 15, 2002, through June 30, 2002, it is estimated that CHS will spend \$391,864 for after-hour emergency services. Amendment No. 3 proposes the approval of scheduling volunteer MCMA providers to physically come into CHS facilities and perform after-hour emergency procedures that currently are being performed outside CHS facilities, i.e., ER facilities. Providers would be compensated at the rate of \$100 per hour. Using the same criteria of three hours per emergency and 146 after-hour emergency services per month, total expenditure is estimated at \$340,900 for a potential savings to Maricopa County of \$50,964 through the period ending June 30, 2002. Life

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threatening emergencies will still require the transport and use of ER facilities and will reduce the potential savings. Request this amendment be effective through June 30, 2002, to correspond with contract expiration. During the effective period, renewal will be determined by analysis of benefits derived. After-hour emergency coverage is in addition to previously contracted hours. Total fiscal expenditure is \$340,900 in addition to previously approved expenditure of \$1,786,456. (C2699001103)

**PURCHASE OF MODULAR FURNITURE FOR THE ENVIRONMENTAL HEALTH SERVICES  
EASTERN REGIONAL OFFICE**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of modular furniture for the Environmental Health Services Eastern Regional Office. The modular furniture will cost \$42,000 and will be used to furnish the recently leased office space located at 1255 West Baseline, Mesa. This purchase will replace furniture originally obtained from County salvage in the early 1980's. This office houses nineteen County employees and provides classroom space for conducting food handler training classes. (C88020278) (ADM2128)

**CONTRACT WITH ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve contract EV02-0086 with the Arizona Department of Environmental Quality. The contract totals \$100,000 and will support the development of an ordinance to regulate the idling of heavy duty diesel vehicles. The contract will begin upon approval by both parties and will terminate on June 30, 2003. By approving this agenda item, the Board will be authorizing the acceptance of grant funding that is not budgeted, thus causing a budget amendment to be authorized. This amendment will increase Environmental Services revenue and expenditure for FY 2002 by \$100,000. (C88020282)

**AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR LIVING PROGRAMS, INC.**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment No. 2 to the contract with Foundation for Senior Living Programs, Inc. increasing the contract amount for the current fiscal year by \$19,561 (from \$484,969 to \$504,530.) The additional funding has been made available by increases in federal low-income home weatherization program funding awarded to Maricopa County by the Arizona Department of Commerce/Energy Office. An increase of \$11,400 was received from Low Income Home Energy Assistance Program funds and an increase of \$8,161 was made available from Department of Energy Funds. All other terms and conditions of this contract will remain the same. (C2202103102)

**NEW LIMITED SERVICE LEASE WITH TEMPE UNION HIGH SCHOOL**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and execute new limited service Lease No. L7318 with Tempe Union High School, Lessor for a Head Start classroom and playground facility located at Tempe Compadre High School campus, 500 West Guadalupe Road, Tempe. The lease term is for five years commencing February 6, 2002, and expiring on January 31, 2007, with no additional monthly fees. Head Start will contribute a one-time amount of not-to-exceed \$22,000 to assist in the renovation of classrooms and the playground facilities to meet Arizona Department of Health Services day care licensing requirements. This agreement contains a 90-day termination clause and does not include any county general funds. (C22021494)

**PURCHASE OF EIGHT ELEVEN-PASSENGER, STANDARD ACCESSIBLE VANS**

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Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of eight, eleven-passenger, standard accessible vans for a total cost not-to-exceed \$360,000. These eight vans will replace eight vans to be retired from the Special Transportation Services (STS) fleet. The Federal Transit Administration (FTA), via the City of Phoenix as the regional recipient for FTA grants for capital (contracts C2201075 and C22011332 previously approved by the Board), will provide \$288,000 or 80% of the funding required for the purchase and funding received as local capital match from cities and towns served by STS will make up the 20% match requirement of \$72,000. This purchase will not require any County General Funds. (C2202153M) (ADM3100)

Supervisor Wilcox said that when new vans are purchased it has been usual for the old vans to be auctioned and many times a non-profit organization would buy them. She asked if an auction was planned for these vans. The Chairman directed someone in Material Management to meet with Supervisor Wilcox following the meeting to answer her questions.

**AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 1 to Intergovernmental Agreement No. 152071 with the Arizona Department of Health Services (ADHS) to provide Tuberculosis (TB) Control Services. The amendment provides an additional \$19,519 in funding for the term ending December 31, 2001. All other terms and conditions remain unchanged. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2002 by \$19,519. (C86010163LI) (C8601056201)

**PURCHASE OF EQUIPMENT - DEPARTMENT OF PUBLIC HEALTH**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the purchase of the following equipment for the Department of Public Health.

- a. Three Dell Inspiron 2500 Laptop Computers at \$2,014 each, and four Dell OptiPlex GX240 Small Minitower desk computers at \$1,463.32 each, to be used by the Department of Public Health's Tuberculosis Clinic and Xray Unit. These new laptops and PC computers will replace existing equipment. Total expenditure for the laptops and computers, including tax, will be \$12,739.84. The purchase of these items is funded by special revenue and will not affect the County general fund. (C8602089M) (ADM2150-002)
- b. NEC LT155 Portable LCD Projector, complete with wheeled carry case and replacement lamp, not-to-exceed \$4,133.67 to be used by Public Health's Epidemiology Department and other Public Health staff as needed. The purchase of these items is funded by special revenue and will not affect the County general fund. (C8602097M) (ADM2150-002)
- c. 37 Dell Opti-Plex GX240 Small Mini-Tower desk computers with monitors at \$1,718.12 each; two Dell LazerJet 2200DN network printers at \$1,067.75 each; and one Dell Latitude C810 laptop computer at \$2,373.22, all to be used by the Department of Public Health's Tobacco Use Prevention Program. Total expenditure for these items, including tax, will be \$68,079.16. The purchase of these items is funded by a state grant and will not affect the County general fund. (C8602099M) (ADM2150-002)

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**INTERGOVERNMENTAL AGREEMENTS/CONTRACTS – TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Intergovernmental Agreements/Contracts with the following to provide tobacco use prevention and education services. The terms of the intergovernmental agreements/contracts are from January 1, 2002, to June 30, 2002.

- a. Alhambra School District No. 68 for a contract dollar amount not-to-exceed \$29,078. (C86021012)
- b. Glendale Elementary School District for and on behalf of Desert Garden Elementary School for a contract dollar amount not-to-exceed \$5,100. (C86021022)
- c. Isaac School District for a contract dollar amount not-to-exceed \$24,951.50. (C86021042)
- d. Peoria Unified School District for a contract dollar amount not-to-exceed \$63,275. (C86021052)
- e. Tolleson Union High School for a contract dollar amount not-to-exceed \$27,151. (C86021112)
- f. Tempe Union High School District for a contract dollar amount not-to-exceed \$31,292. (C86021212)
- g. Arizona Board of Regents, for and on behalf of the University of Arizona/4-H Youth Development for a contract dollar amount not-to-exceed \$77,674.95. (C86021222)
- h. Mesa Public Schools for a contract dollar amount not-to-exceed \$359,597. (C86021232)
- i. Camp Fire Council of Greater Arizona, Inc. for a contract dollar amount not-to-exceed \$50,597. (C86021031)
- j. East Valley Addiction Council for a contract dollar amount not-to-exceed \$320,997. (C86021061)
- k. Athletes in Training for a contract dollar amount not-to-exceed \$8,100. (C86021081)
- l. Rio Salado Behavioral Health Center for a contract dollar amount not-to-exceed \$28,279. (C86021101)
- m. Westside Social Services for a contract dollar amount not-to-exceed \$146,859. (C86021121)
- n. Phoenix Children's Hospital for a contract dollar amount not-to-exceed \$24,656. (C86021141)
- o. Chicanos por la Causa for a contract dollar amount not-to-exceed \$54,678. (C86021151)
- p. Southwest Behavioral Health for a contract dollar amount not-to-exceed \$30,330. (C86021161)
- q. Friendly House, Inc. for a contract dollar amount not-to-exceed \$46,041. (C86021171)
- r. Boys & Girls Clubs of Metropolitan Phoenix for a contract dollar amount not-to-exceed \$33,943. (C86021181)
- s. Concilio Latino de Salud for a contract dollar amount not-to-exceed \$55,578. (C86021191)

**ALLOCATION AND TRANSFER OF GENERAL GOVERNMENT CONTINGENCY FUNDS - CONTINUED**

Motion was made by Supervisor Brock and seconded by Supervisor Kunasek to approve the allocation and transfer of General Government Contingency Funds not-to-exceed \$38,465 to the Department of Public Health's FY 2001-2002 expenditure budget to develop and staff a new Division entitled the

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"Division of BioDefense Preparedness and Response." Also, approve the capital lease purchase of five computers and software necessary to support the new employees in the Division, annualized at \$4,200. Authorize OMB to increase the Department of Public Health's FY 2002-2003 Fund 100 expenditure budget target by not-to-exceed \$313,876 to annualize the FY 2002 adjustments. Finalization of all amounts contingent upon completion of salary review for proposed new positions by Human Resources Compensation Services. The department will submit a Results Initiative Request for review by OMB for proposed expansion of this new Division beyond the levels being funded with this agenda item. (C86021268) (ADM2150)

Supervisor Brewer asked why and when it was decided that it was necessary to create a whole new division in a long-established department like Public Health to run a Division of BioDefense Preparedness and Response and what the additional fund expenditures would include.

Dr. Jonathan Weisbuch, Public Health Director, responded that the increased concern over possible and probable biological terrorism events since September 11, 2001, has prompted his department to develop a new biodefense and preparedness division, with Dr. Larry Sands as Director, in an effort to counteract and prevent biological warfare against the citizens of Maricopa County, should the need arise. He said that Arizona, and the Phoenix area, have many probable terrorist targets and it had been determined that preparedness planning should be activated.

Supervisor Brewer stated that she understood planning and preparedness issues, but her concern centered on the creation of a new division for this purpose. She felt that existing staff could incorporate these duties. She also expressed a concern that the creation of a new division could be an ever 4expanding concept. She referenced the requests for contingency monies and said that the amounts were not detailed regarding specific use. Supervisor Brewer concluded that the item should be continued for further review.

Dr. Weisbuch said that federal and state governments had already put such actions in motion and he thought it had been discussed with the Board and determined to be essential last December. Supervisor Brewer agreed that it had been discussed in a general way but contingency fund monies, new staff, new equipment, and the major expansion of creating a new division had not been explained.

Chairman Stapley said he had thought it would be good to get this program in place before the County receives any federal monies. He added that the expenditure of these contingency fund dollars would be carefully scrutinized.

Supervisor Kunasek said he'd been briefed on the preparedness issues and supported giving citizens the benefits of the best plans and resources that could be put in place. However, he agreed with Supervisor Brewer's reservations over creating and funding a whole new division with five new employees and new equipment. He said he too had not been made aware of all of this from the briefing he had received. He agreed that this matter should be continued.

Supervisor Wilcox questioned the source of continued funding and also requested more information on specific expenses.

During discussion that ensued, all the Supervisors agreed that such increased vigilance was necessary because there are so many environmental and biological agents that are available for terrorists to use. Mention was made that Washington shares the concern that an attack could be targeted towards Arizona because we have the three largest nuclear reactors in this hemisphere plus a half-dozen aquifers and dams and many other water-related targets. It was suggested that because of these factors, and the

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tremendous municipal growth being experienced and the various major sports facilities in the Valley that Arizona should be properly positioned and at the forefront when federal monies are disbursed. Tom Ridge, Director of Homeland Security, plans to increase federal support to those state and county governments who aggressively promote such safety measures.

Both Supervisor Brock and Supervisor Kunasek elected to amend their original motion and second and moved and seconded the continuation of this matter to the February 20, 2002, meeting so the Supervisors could receive additional information and a more comprehensive briefing. The amended motion carried unanimously (5-0).

**CONTRACT WITH DELTA DENTAL PLAN OF ARIZONA**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a contract with Delta Dental Plan of Arizona for the provision of dental services (prepay) to individuals affected by HIV/AIDS. The term of the contract is from February 7, 2002, to February 28, 2003, for a contract dollar amount not-to-exceed \$321,682.10. (C86026001)

**APPROPRIATION – FOR CONVERSION OF THE COUNTY ATTORNEY’S E-MAIL SYSTEM**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an appropriation of an amount not-to-exceed \$170,000 from General Government Appropriated Fund Balance Contingency Technology Projects reserve to fund the conversion of the County Attorney's e-mail system to Microsoft Exchange. With funding approved, Maricopa County will complete its migration to a single, county-wide e-mail system. Estimated project completion date is March 31, 2002. This is a re-submission of a previously-approved agenda item (C77020018). (C41020048) (ADM400) (ADM2705)

**AGREEMENT WITH SHERIFF’S POSSE OF SUN LAKES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an agreement for the Sheriff's Posse of Sun Lakes to utilize the SmartZone Infrastructure System and to purchase from the County maintenance and repair services for the Posse's radio fleet. The County will recover its costs for access to the SmartZone Infrastructure System through services provided by the Posse to the Sheriff's Office. The County will recover its costs for equipment maintenance and repair services through billing at the prevailing rates for time and materials. (C76020132)

**REALLOCATION**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the reallocation of \$54,000 from FY 2001-2002 Major Maintenance Project No. 2001202673 Assessor's Office Building Infrastructure Improvements to Project No. 2001219211 Adult Probation Regional Reporting Center Building Infrastructure Improvements. Funds identified for reallocation are Major Maintenance General Fund 100, Agency 470, Low Org 4732. (C70020708) (ADM800)

**CALL FOR BIDS AND AWARD – SECURITY BUILDING FIRE ALARM BACKBONE**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt plans and specifications, authorize a call for bids, and award a construction contract to the lowest responsible bidder provided that the bid is not more than 10% over the engineer's estimate for Security Building Fire Alarm Backbone. This project is funded in the FY 2001-2002 Major Maintenance Program

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budget, Fund 100, Agency 473, Org. 4732, Object Code 0915.01. The completion of this project is necessary for the installation of additional fire alarm devices to meet State of Arizona Fire Code requirements for the Security Center Building located at 222 and 234 North Central Ave in Phoenix. Also, approve the reallocation of \$600,000 from FY 2001-2002 Major Maintenance Project No. 2000143492 Central Court Building Improvement to Project No. 2000136325 Security Center Building Infrastructure Improvements. (C70020715)

**PURCHASE OF TWO HEARTSTREAM FR2 DEFIBRILLATORS**

Approve the purchase of two Heartstream FR2 defibrillators for the Facilities Management Protective Services Command Centers located at 301 West Jefferson and 2901 West Durango in Phoenix at an estimated cost of \$4,550 per unit. (C7002073M) (ADM815)

Supervisor Wilcox asked who would be qualified to operate these defibrillators after they are purchased and why they were being purchased.

Norman Hintz, Director of Facilities Management, said a number of protective services officers in both locations will be trained to operate these defibrillators which would only be used in the case of a heart attack in an effort to keep the patient alive until paramedics would arrive. Studies have indicated that lives could have been saved in some instances had defibrillators been available in times of emergency.

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the purchase of two Heartstream FR2 defibrillators for the Facilities Management Protective Services Command Centers.

**EASEMENTS, RIGHT-OF-WAY DOCUMENTS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

- |                  |   |
|------------------|---|
| A047.002<br>(AC) | Project No: 69010 - Boise Street (96th Street - 96th Way) – Agreement for Right of Entry - Parcel No. 220-31-001C – Jerome Imperial and Mary L. Imperial - for the sum of \$100.00.   |
| A091.001<br>(AC) | Project No: 69010 – 193rd Avenue (Belinda Drive – Norwich Drive) – Agreement for Right of Entry – Parcel No. 503-79-010H – Larry Stilwell –for the sum of \$100.00.                   |
| A091.001<br>(AC) | Project No: 69010 - 193rd Avenue (Belinda Drive – Norwich Drive) - Easement and Agreement for Highway Purposes - Parcel No. 503-79-010H - Larry Stilwell - for the sum of \$2,769.00. |
| A091.001<br>(AC) | Project No: 69010 - 193rd Avenue (Belinda Drive – Norwich Drive) - Purchase Agreement and Escrow Instructions - Parcel No. 503-79-010H - Larry Stilwell.                              |
| A091.002<br>(AC) | Project No: 69010 – 193rd Avenue (Belinda Drive – Norwich Drive) – Agreement for Right of Entry – Parcel No. 503-79-010J – Mac Stilwell – for the sum of \$100.00.                    |
| A091.002<br>(AC) | Project No: 69010 - 193rd Avenue (Belinda Drive – Norwich Drive) – Easement and Agreement for Highway Purposes - Parcel No. 503-79-010J - Mac Stilwell - for the sum                  |

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of \$2,816.00.

- |                                  |  |
|----------------------------------|--|
| A091.002<br>(AC)                 | Project No: 69010 - 193rd Avenue (Belinda Drive – Norwich Drive) - Purchase Agreement and Escrow Instructions - Parcel No. 503-79-010J - Mac Stilwell.   |
| A091.005<br>(AC)                 | Project No: 69010 – 193rd Avenue (Belinda Drive – Norwich Drive) – Agreement for Right of Entry – Parcel No. 503-79-014Q – Roger Barley Wells and Sarah Louise Wells – for the sum of \$100.00.  |
| A100.001<br>(AC)                 | Project No: 69010 – 87th Avenue – Peoria C/L (Williams Road – Pinnacle Peak Road) – Easement and Agreement for Highway Purposes – Parcel No. 200-08-423 – Patrick L. Bolley and Linda S. Bolley – for the sum of \$18,672.00.                              |
| A100.001<br>(AC)                 | Project No: 69010 – 87th Avenue – Peoria C/L (Williams Road – Pinnacle Peak Road) – Purchase Agreement and Escrow Instructions – Parcel No. 200-08-423 – Patrick L. Bolley and Linda S. Bolley.  |
| A103.001<br>(AC)                 | Project No: 69010 – Durango Street (Citrus Road – Goodyear City Limits) - Agreement for Right of Entry – Parcel No. 502-43-004D - Rocky Hill L.L.C., an Arizona Limited Liability Company - for the sum of \$100.00  |
| A103.001<br>(AC)                 | Project No: 69010 – Durango Street (Citrus Road – Goodyear City Limits) - Easement and Agreement for Highway Purposes - Parcel No. 502-43-004D - Rocky Hill L.L.C., an Arizona Limited Liability Company – for the sum of \$24,810.15.                     |
| A103.001-1<br>(AC)               | Project No: 69010 – Durango Street (Citrus Road – Goodyear City Limits) - Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 502-43-004D - Rocky Hill L.L.C., an Arizona Limited Liability Company - for the sum of \$175.00. |
| A103.001 &<br>A103.001-1<br>(AC) | Project No: 69010 – Durango Street (Citrus Road – Goodyear City Limits) - Purchase Agreement and Escrow Instructions - Parcel No. 502-43-004D - Rocky Hill L.L.C., an Arizona Limited Liability Company.   |
| A104.003<br>(AC)                 | Project No: 69010 – 177th Avenue (Durango Road – Yuma Road) – Agreement for Right of Entry – Parcel No. 502-43-001L – Tina M. Amen – for the sum of \$100.00.  |
| A104.005<br>(AC)                 | Project No: 69010 - 177th Avenue (Durango Road - Yuma Road) - Agreement for Right of Entry - Parcel No. 502-43-001J - J. Scott Winsor and Lora Lee Gibbons-Winsor - for the sum of \$100.00.   |
| A104.007<br>(AC)                 | Project No: 69010 – 177th Avenue (Durango Road – Yuma Road) – Agreement for Right of Entry – Parcel No. 502-43-001Q – Ernest Capuchino and Kerry Joy Capuchino – for the sum of \$100.00.  |
| A109.004<br>(AC)                 | Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033G – Norberto Enriquez – for the sum of \$100.00.  |
| A109.005<br>(AC)                 | Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033K – Jarrod P. Denton and Allison T. Wood Denton – for the sum of \$100.00.  |



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- A109.006 (AC) Project No: 69010 – Malcolm Drive (Broadway Road –Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033L – Rodney L. Patik and Joyce Patik – for the sum of \$100.00.
- A109.007 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033M – Thomas C. Fessler and Virginia Kay Fessler – for the sum of \$100.00.
- A109.008 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trial) – Agreement for Right of Entry – Parcel No. 220-66-033N – Farrel B. Layton and Pamela A. Layton – for the sum of \$100.00.
- A109.009 (AC) Project No: 69010 - Malcolm Drive (Broadway Road – Apache Trail) - Agreement for Right of Entry - Parcel No. 220-66-033P - Robert C. Anderson - for the sum of \$100.00.
- A109.010 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033H – Timothy J. Clark and Stacey L. Clark – for the sum of \$100.00.
- A109.011 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trail) – Agreement for Right of Entry – Parcel No. 220-66-033J – Melvin John Pugh – for the sum of \$100.00.
- A109.011 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trial) – Easement and Agreement for Highway Purposes – Parcel No. 220-66-033J – Melvin John Pugh – for the sum of \$4,102.00.
- A109.011 (AC) Project No: 69010 – Malcolm Drive (Broadway Road – Apache Trial) – Purchase Agreement and Escrow Instructions – Parcel No. 220-66-033J – Melvin John Pugh.
- A115.005 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-016X - Stuart L. Cutting and Jean M. Cutting - for the sum of \$100.00.
- A115.006 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-017H - James R. Hendricks and Sammy B. Hendricks - for the sum of \$100.00.
- A115.007 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-017J - Mark S. Alexander and Karen L. Alexander - for the sum of \$100.00.
- A115.008 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-017Z - Gregory L. Bryan and Cynthia A. Bryan - for the sum of \$100.00.
- A115.009 (AC) Project No: 69010 - Telegram Path Road (Airport Road to Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-928 - Cynthia A. Bryan, as Personal Representative of the Estate of Mary C. Abbott, an unmarried woman - for the sum of \$100.00.

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- A115.014 (AC) Project No: 69010 - Telegram Path Road (Airport Road to Tuthill Road) – Agreement for Right of Entry - Parcel No. 400-52-016S - Victor Manuel Valencia-Bazan - for the sum of \$100.00.
- A115.014 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Easement and Agreement for Highway Purposes - Parcel No. 400-52-016S - Victor Manuel Valencia-Bazan - for the sum of \$2,298.00.
- A115.014 (AC) Project No: 69010 - Telegram Path Road (Airport Road - Tuthill Road) – Purchase Agreement and Escrow Instructions Parcel No. 400-52-016S - Victor Manuel Valencia-Bazan.
- A118.002 & A118.003 (AC) Project No: 69010 - 133rd Avenue (South Mountain Avenue - Indian Springs Road) – Agreement for Right of Entry – Parcel No. 400-01-020C & 020D - Ray L. McMahan, Dale Payne and Laura Payne - for the sum of \$100.00.
- A123.001 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Agreement for Right of Entry – Parcel No. 300-08-024 – City of Phoenix – for the sum of \$100.00.
- A123.002 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Agreement for Right of Entry – Parcel No. 300-08-02R – Gerardo Ochoa and Maria Dolores Ochoa – for the sum of \$100.00.
- A123.002 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Easement and Agreement for Highway Purposes – Parcel No. 300-08-02R – Gerardo Ochoa and Maria Dolores Ochoa – for the sum of \$868.00.
- A123.002 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Purchase Agreement and Escrow Instructions – Parcel No. 300-08-02R – Gerardo Ochoa and Maria Dolores Ochoa.
- A123.003 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Easement and Agreement for Highway Purposes – Parcel No. 300-08-02Q – Pete H. Hicks – for the sum of \$761.00.
- A123.003 (AC) Project No: 69010 – 47th Avenue (Estrella Drive – Gumina Avenue) – Purchase Agreement and Escrow Instructions – Parcel No. 300-08-02Q – Pete H. Hicks.
- A139.001 (AC) Project No: 69010 – 12th Street (Cloud Road – Joy Ranch Road) – Agreement for Right of Entry – Parcel No. 211-68-055M – James W. Naecker and Sharon A. Naecker – for the sum of \$100.00.
- A139.002 (AC) Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) – Agreement for Right of Entry - Parcel No. 211-68-053C - Guy Dryer - for the sum of \$100.00.
- A139.002 (AC) Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) – Easement and Agreement for Highway Purposes - Parcel No. 211-68-053C - Guy Dryer - for the sum of \$16,000.00.
- A139.002 Project No: 69010 - 12th Street (Cloud Road - Joy Ranch Road) - Purchase Agreement

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- (AC) and Escrow Instructions - Parcel No. 211-68-053C - Guy Dryer.
- A139.005  
(AC) Project No: 69010 – 12th Street (Cloud Road – Joy Ranch Road) – Agreement for Right of Entry – Parcel No. 211-68-097 – Craig W. Schumann and Melissa L. Schumann – for the sum of \$100.00.
- A139.006  
(AC) Project No: 69010 – 12th Street (Cloud Road – Joy Ranch Road) – Agreement for Right of Entry – Parcel No. 211-68-098 – Robert A. McClelland and Elaine C. McClelland – for the sum of \$100.00.
- A139.007  
(AC) Project No: 69010 – 12th Street (Cloud Road – Joy Ranch Road) – Agreement for Right of Entry – Parcel No. 211-68-054L – Roger S. Barkin and Mark R. Gerber – for the sum of \$100.00.
- A161.001  
(AC) Project No. 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-153 - Harvey A. Cook and Anne M. Cook as co-trustees or their successors trustee(s) of the H. A. Cook and A. M. Cook Declaration of Trust - for the sum of \$100.00.
- A161.001  
(AC) Project No: 69010 - 77th place (McKellips Road - Hermosa Vista Drive) - Easement and Agreement for Highway Purposes - Parcel No. 219-26-153 – Harvey A. Cook and Anne M. Cook - for the sum of \$65,000.00.
- A161.001  
(AC) Project No: 69010 - 77th place (McKellips Road – Hermosa Vista Drive) - Purchase Agreement and Escrow Instructions – Parcel No. 219-26-153 - Harvey A. Cook and Anne M. Cook.
- A161.002  
(AC) Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-108- Dean H. Burchard, II and Judith D. Burchard - for the sum of \$100.00.
- A161.003  
(AC) Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-109 - Don R. Lyon and Julia J. Lyon - for the sum of \$100.00.
- A161.007  
(AC) Project No: 69010 – 77th Place (McKellips Road – Hermosa Vista Drive) – Agreement for Right of Entry – Parcel No. 219-26-105 – Arthur F. Rouse and Audrey L. Rouse as Trustees or Successor Trustees of the Rouse Family Living Trust – for the sum of \$100.00.
- A161.014  
(AC) Project No: 69010 – 77th Place (McKellips Road – Hermosa Vista Drive) – Agreement for Right of Entry – Parcel No. 219-26-003R – Warren Schauer and Kathi Schauer – for the sum of \$100.00.
- A161.020  
(AC) Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-134 – Donald Carman and Lesa Carman - for the sum of \$100.00
- A161.022  
(AC) Project No: 69010 – 77th Place (McKellips Road – Hermosa Vista Drive) – Agreement for Right of Entry – Parcel No. 219-26-003V – Jenell Arnold – for the sum of \$100.00.

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| A161.026<br>(AC)   | Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-116 – Pamela Weaver and Frank Weaver - for the sum of \$100.00.                             |
| A161.027<br>(AC)   | Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-115 – Jose A. C. Balderrama, Jr. and Mary Ann Balderrama – for the sum of \$100.00.         |
| A161.028<br>(AC)   | Project No: 69010 - 77th Place (McKellips Road - Hermosa Vista Drive) - Agreement for Right of Entry - Parcel No. 219-26-114 – Thomas J. Falletta and Deborah J. Falletta - for the sum of \$100.00.                 |
| A164.001<br>(AC)   | Project No: 69010 - Hermosa Vista Drive (76th Street - 78th Street) - Agreement for Right of Entry - Parcel No. 219-26-100E – Joseph Bartlette Gale and Roberta Sue Gale - for the sum of \$100.00.                  |
| A164.001<br>(AC)   | Project No: 69010 - Hermosa Vista Drive (76th Street - 78th Street) - Easement and Agreement for Highway Purposes - Parcel No. 219-26-100E - Joseph Bartlette Gale and Roberta Sue Gale - for the sum of \$9,128.00. |
| A164.001<br>(AC)   | Project No: 69010 - Hermosa Vista Drive (76th Street - 78th Street) - Purchase Agreement and Escrow Instructions - Parcel No. 219-26-100E - Joseph Bartlette Gale and Roberta Sue Gale.                              |
| A177.004<br>(TS)   | R/W Dedication – Easement and Agreement for Highway Purposes – Parcel No. 300-27-029A – Cynthia Fay Kinney – for the sum of \$10.00.   |
| A177.004<br>(TS)   | R/W Dedication – Purchase Agreement and Escrow Instructions – Parcel No. 300-27-029A – Cynthia Fay Kinney.   |
| A210.007<br>(LJS)  | Project No: 69010 - Willis Road (McQueen Road to Consolidated Canal) - Easement and Agreement for Highway Purposes - Parcel No. 303-29-031F - Mary Wood - for the sum of \$36,878.00.                                |
| A210.007<br>(LJS)  | Project No: 69010 - Willis Road (McQueen Road to Consolidated Canal) - Purchase Agreement and Escrow Instructions - Parcel No. 303-29-031F - Mary Wood.  |
| DD-9333<br>(TS)    | R/W Dedication – Easement and Agreement for Highway Purposes – Parcel No. 219-23-026E – Desert Hills Baptist Church – for the sum of \$10.00.  |
| DD-9333<br>(TS)    | R/W Dedication – Purchase Agreement and Escrow Instructions – Parcel No. 219-23-026E – Desert Hills Baptist Church.  |
| HH-0775<br>(LJS)   | Project No: 20073 – 90th Street and McDowell Road – Agreement for Right of Entry – Parcel No. 219-33-023M – Brian K. Stole and Patricia J. Stole – for the sum of \$100.00.  |
| X-0163A-1<br>(DWM) | Project No: 68957 - Gilbert Road (McDowell Road to SR 87) - Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No. 141-03-003H - Marie J. Miller - for the sum of \$100.00.                         |

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X-0168-1      Project No: 68957 - Gilbert Road (McDowell Road to SR 87) - Letter Agreement for a  
(DWM)      Temporary Ingress and Egress Permit - Carroll L. Powell and Doris Powell - for the sum  
of \$100.00.

X-0169-1      Project No: 68957 - Gilbert Road (McDowell Road to SR 87) - Letter Agreement for a  
(DWM)      Temporary Ingress and Egress Permit –Alan Scott Chamberlain and Stephanie  
Chamberlain - for the sum of \$100.00.

**CALL FOR BIDS AND AWARD – CONSTRUCTION OF LOOP 303 FROM McDOWELL ROAD TO ¾  
MILE NORTH OF THOMAS ROAD**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the solicitation of bids for the construction of Loop 303 from McDowell Road to ¾ mile north of Thomas Road, Work Order Number 68965. Approve the award of a contract to the lowest responsive bidder, providing the lowest responsive bid does not exceed the engineer's estimate by more than 10%. (C64021665)

**MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

**CONTRACT WITH LAUREL HEALTHCARE LLC**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve a new contract with Laurel Healthcare LLC to provide nursing facility services to members of Maricopa Long Term Care Plan, effective December 1, 2001, through September 30, 2002. There is no change to the total aggregate allocation for nursing facilities of \$469,084,277. (C60020421)

**CONTRACTS FOR ASSISTED LIVING SERVICES FOR MEMBERS WITH ALZHEIMER'S**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve new contracts for the provision of Assisted Living Service for members with Alzheimer's. These contracts have 90-day termination without cause provisions.

- a) Catholic Healthcare West II, a California public benefit corporation dba Huger Mercy Living Center, for an amount not-to-exceed \$225,000 for the term December 5, 2001, through September 30, 2003. (C60020651)
- b) Covenant Care California, Inc., dba Desert Palms Retirement Center, for a not-to-exceed amount of \$511,000 for the term February 6, 2002, through September 30, 2003. (C60020961)

**CONTRACT WITH ROBERTO MURILLO, MD**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve contract with Roberto Murillo, MD to provide pediatric primary care services for a contract term of February 1, 2002, through January 31, 2005. The not-to-exceed amount is \$64,000. This contract can be terminated by either party with 90-days notice. (C60020761)

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**AMENDMENT TO CONTRACT WITH HOSPICE OF THE VALLEY**

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 4 to the Hospice Services contract (formerly C60000071) with Hospice of the Valley to increase the not-to-exceed amount by \$1,800,000 from \$407,500 to \$2,207,500. There is no change in the contract term of October 1, 1999, through September 30, 2003. This contract may be terminated with 90-days written notice by either party. (C6002078104)

**AMENDMENT TO CONTRACT WITH MTS PACKAGING SYSTEMS, INC.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1, effective February 1, 2002, to the contract with MTS Packaging Systems, Inc. in order to upgrade printing and labeling equipment, update contract language, and increase the not-to-exceed amount by \$17,000 from \$188,100 to \$205,100. There is no change in the contract rates or term. The Office of Management and Budget (OMB) has reviewed all supporting information and the Equipment Purchase Request Form-Exemption to Budget Balancing Plan has been submitted. (C9001018101)

**AMENDMENT TO CONTRACT WITH ACCUSORT, INC.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 2, effective February 1, 2002, to the contract with AccuSort, Inc. in order to upgrade hardware and software, update contract language, and increase the not-to-exceed amount by \$259,000 from \$762,461 to \$1,021,461. There is no change in the contract rates or term. The Office of Management and Budget (OMB) has reviewed all supporting information and the Equipment Purchase Request Form-Exemption to Budget Balancing Plan has been submitted. (C9001019102)

**AMENDMENT TO CONTRACT WITH RESCOT SYSTEMS GROUP, INC.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1, effective February 1, 2002, to the contract with Rescot Systems Group, Inc. in order to upgrade software, update contract language, and increase the not-to-exceed amount by \$92,900 from \$110,000 to \$202,900. There is no change in the contract rates or term. The Office of Management and Budget (OMB) has reviewed all supporting information and the Equipment Purchase Request Form-Exemption to Budget Balancing Plan has been submitted. (C9001036101)

**CHANGE ORDER TO CONTRACT WITH D.L. WITHERS CONSTRUCTION, LC.**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Change Order No. 7 to the contract with D.L. Withers Construction, LC for additional changes required in the renovation of the Comprehensive Healthcare Center (CHC) at the Maricopa Medical Center (MMC) campus, and increase the contract total by \$176,211 to \$11,516,883. Extend the term of the contract by an additional 35 calendar days for a total of 411 days to the date of substantial completion. (C9001039502)

**CONTRACT WITH AREA AGENCY ON AGING, REGION I dba CARE DIRECTIONS**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a contract with Area Agency on Aging, Region I dba Care Directions for HIV Case Management and Referral Services. The not-to-exceed amount is \$167,275, and the contract term is August 1, 2001,

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through July 31, 2002. The contract may be extended up to a total term of five years and may be terminated with 90-days written notice by either party. (C90020371)

**REVENUE CONTRACT WITH BANNER HEALTH SYSTEMS dba CONTACT**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new revenue contract with Banner Health System dba CONTACT to provide inpatient and outpatient psychiatric services to CONTACT members. The effective date of the contract is November 1, 2001, through October 31, 2004, and may be extended by mutual written agreement by both parties for two additional one year periods. This contract may be terminated by either party upon 90-days prior written notice. The anticipated annual revenue from this contract is \$200,000. (C90020721)

**CONTRACT WITH SCRIPT PRO USA INCORPORATED**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new contract with Script Pro USA Incorporated, for the purchase of a SP200 Pharmacy Automation System and yearly preventive maintenance and software support once the original manufacturer's warranty has expired. Term of this contract is January 3, 2002, through January 2, 2003, with options to renew up to four additional years. Cost of this contract is \$308,286. This contract may be cancelled by either party with 60-days written notice. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form – Exemption to Budget Balancing Plan has been submitted. (C90020761)

**NORTHERN ARIZONA UNIVERSITY HEALTH ACADEMY FUNDING**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Northern Arizona University (NAU) Health Academy funding in the amount of \$64,641 for the period September 30, 2001, through September 29, 2002. NAU is a recipient of a grant from the Department of Health and Human Services, Health Resources and Services Administration (DHHS/HRSA), and MIHS is a subcontractor. The grantor will reimburse MIHS monthly according to the approved budget categories. The contract contains no provision for extension. The agreement may be terminated for convenience by either party with 30-days written notice. (C90020771)

**GRAPHIC SERVICES CONTRACT WITH SUBIA CREATIVE**

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new graphic services contract between Subia Creative and Maricopa Integrated Health System. The initial term of this contract is January 16, 2002, through December 31, 2004, with an option of three additional annual periods, for a total not-to-exceed amount, for the initial term of \$800,000. (C90020811)

**CONTRACTS (2) FOR NURSE REGISTRY SERVICES AND ANCILLARY STAFF**

Item: Approve the following two contracts for Nurse Registry services and Ancillary staff:

- Assisted Staffing, Inc. (C90020861)
- Staffing Medical USA, Inc. (C90020871)

The contract term is March 1, 2002, through March 31, 2003. The not-to-exceed pool amount for this service is \$7,800,000, and was approved February 21, 2001, on agenda item C90010911ZZ. The contracts

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may be extended up to a total term of 5-years and may be terminated with 90-days written notice by either party. (C90020851ZZ)

Supervisor Brock said that the County Hospital is requesting this \$8 million contract as part of an ongoing challenge and major agenda item that the Board must work through to staff the facility.

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve two contracts for Nurse Registry services and Ancillary staff.

**APPOINT MR. ERIC LATTO TO THE MERIT SYSTEM COMMISSION**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Mr. Eric Latto to the Merit System Commission, representing District No. 1. The term of the appointment will be from the date of Board approval through December 31, 2005. (C01020057) (ADM3315)

Supervisor Brock introduced Mr. Latto, who had earlier led the Pledge of Allegiance and was still in the audience, and commented on his appointment to the Merit Commission. He said that Mr. Latto brings a strong background in political science and expertise in public administration to his appointment.

**RESIGNATION AND APPOINTMENT - INDUSTRIAL DEVELOPMENT AUTHORITY OF MARICOPA COUNTY**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the resignation of John P. Lorenzen, effective January 11, 2002, and appoint Chris Gordon to The Industrial Development Authority of Maricopa County, representing District No. 4. Mr. Gordon will fill the unexpired term through December 17, 2003. (ADM4500-001)

**HEARING SET - CODE ENFORCEMENT REVIEW**

Item: Code Enforcement Review Cases – Schedule a public hearing on the review of Hearing Officer's Order of Judgement in the zoning code violation case of Desert Springs Scholastic Institute, Case No. V2001-00759. The hearing will be scheduled for 9:00 a.m., Wednesday, February 20, 2002. (ADM3417-08)

Supervisor Wilcox asked if this hearing would be necessary since the appellant did not appear for the initial hearing.

Fran McCarroll, Clerk of the Board, replied that the appellant was not required to appear at an initial hearing, however, they had submitted documents disputing the violation. An appellant may request a review by the Board of Supervisors of the hearing officer's judgement.

David Benton, County Counsel, said if appellant requests a review, the matter comes before the Board of Supervisors and the Board may decide whether to uphold the Hearing Officer's Order of Judgment, overturn it, or modify it.

Ms. McCarroll explained her belief that the applicant had not attended the first hearing because there is a question of ownership of the property. There had been a transfer of the property title sometime during the code enforcement process and the timing of the completion of this transfer of property is the subject of the dispute.



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Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, February 20, 2002, to review the Hearing Officer's Order of Judgement in the zoning code violation case of Desert Springs Scholastic Institute.

**FRANCHISE - RIO VERDE UTILITIES, INC. - WITHDRAWN**

An application for an extension of area has been filed by Rio Verde Utilities, Inc., for a public service franchise to construct, maintain, and operate domestic water distribution and wastewater collection systems along, upon, under and across public highways, roads, alleys, and thoroughfares (excepting State highways), to the northern Scottsdale area located within a portion of Maricopa County. If approved by the Board, a public hearing may be scheduled for 9:00 a.m., Wednesday, March 6, 2002. (F23006)

**This item was withdrawn.**

**HEARING SET - STREET NAME CHANGE IN ANTHEM**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, March 6, 2002, to change a street name from Heyerdahl Drive to Ashton Drive in the plat of Anthem Unit 21B in Anthem, Maricopa County. The request was made by Anthem Arizona LLC to correct a platting error. (C44020050) (ADM2018)

**HEARING SET - ROAD FILE DECLARATIONS**

Petitions having been filed for declaration of the following roads into the County highway system, motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, March 6, 2002.

**Road File A118-R:** General vicinity of 133<sup>rd</sup> Avenue from South Mountain Road alignment to Baseline Road. (C64021685) (F22865)

**Road File A131:** General vicinity of Pueblo Avenue from 88<sup>th</sup> Street to 90<sup>th</sup> Street. (C64021705) (F23007)

**Road File A172:** General vicinity of Acoma Drive from 75<sup>th</sup> Avenue to 73<sup>rd</sup> Avenue. (C64021695) (F23008)

**Road File A188:** General vicinity of Spur Cross Road from Honda Bow Road to Spur Cross Regional Park. (C64021675) (F23009)

**Road File A200:** General vicinity of Wood Avenue from 102<sup>nd</sup> Street to 104<sup>th</sup> Street. (C64021725) (F23010)

**Road File 5228:** Those certain streets consistent with the rights-of-way as depicted in Montana Farms, a subdivision as shown in Book 486 of Maps, Page 46, M.C.R. (C6402162B) (F23011)

**Road File 5229:** All streets consistent with the rights-of-way as depicted in Lone Mountain Ranch, a subdivision as shown in Book 435 of Maps, Page 17, M.C.R., within the general vicinity of 56<sup>th</sup> Street and Lone Mountain Road. (C6402160B) (F23012)

**Road File 5233:** Whitman Drive and Freedom Way as depicted in the Amended Map of Dedication, as shown in Book 482 of Maps, Page 41, M.C.R., and Tract "C" as depicted in the Map of Dedication, Whitman Drive Addition, as shown in Book 527 of Maps, Page 11, M.C.R., and Tracts "A" and "B" as depicted in the Map of Dedication, Whitman Drive additions as shown in Book 527 of Maps, Page 12, M.C.R. (C6402161B) (F23013)

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**MINUTES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meeting held December 5, 17, and 19, 2001.

**PRECINCT COMMITTEEMEN**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated February 6, 2002, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

**SECURED TAX ROLLS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls as follows: (ADM705)

<b>Tax Roll</b>	<b>From Resolution No.</b>	<b>To Resolution No.</b>	<b>Net Result</b>
2000	7458	7863	-\$1,373,776.42
2000	7864	8073	-\$373,018.24
2001	2567	4732	-\$3,473,801.52
2001	4733	5106	-\$771,827.22
2001	5107	5163	-\$271,720.50
1999	6092	6248	- \$430,069.70
2001	5164	18992	-\$590,645.06
2001	18993	19279	-\$241,692.90
2001	19280	19459	-\$431,906.48

**OFFICIAL APPOINTMENTS AND OATHS OF OFFICE - CLERK OF THE SUPERIOR COURT**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Denise J. Duel, Sandra Navarrete, Yolanda Pinuelas, and Ginger Siersma, as special deputy clerk in the Office of the Clerk of the Superior Court.

**CHECK ENFORCEMENT FUND**

In accordance with A.R.S. §13-1811(F) County Bad Check Trust fund, motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the quarterly financial report of all revenues and expenditures from the Check Enforcement Fund for the period of July 2001 through December 2001. (ADM404)

**OFF-TRACK PARI-MUTUEL WAGERING PERMIT**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the application filed by Turf Paradise Race Course for Off-Track Pari-mutuel Wagering Permit for telecasting at Gallinger's Sports Lounge, 12417 West Glendale Avenue, Glendale, covering race dates through May 31, 2002. (ADM151)

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**DUPLICATE WARRANTS**

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen, as follows. (ADM1823) (ADM3809)

**COUNTY**

<b>Name</b>	<b>Warrant</b>	<b>Fund</b>	<b>Amount</b>
Antonio Banuelos	24152	Payroll Clearing Acct.	\$761.29
Lowes Hm Centers Inc	320521443	Expense	\$7.39
Arizona Supreme Court	320524927	Expense	\$153.00
Tiffany Ergish	C025788	Payroll Clearing Acct.	\$150.02
Joseph J. Franzetti	000320526148	Expense Fund	\$5,250.00
Linda Irene McMahon	12-0195502	Treasurer	\$390.85
Target	320515077	Expense Fund	\$185.50
Wells Fargo Bank, NA	320514645	Expense	\$10,137.12
Meredith Winn	AD00310535164	Expense	\$330.08

**SCHOOL**

<b>Name</b>	<b>School</b>	<b>Warrant</b>	<b>Amount</b>
Julie A. Adolph	Queen Creek #95	95513257	\$823.40
Joe Avena	Madison	12-76635	\$582.91
Helen Burke	Fowler	12-73931	\$938.37
Lori M. Burke	Isaac #5	12-79590	\$955.46
Shukriyyah E. Canada	Phoenix #1	12-0079197	\$347.85
Estrella Mtn Comm College	Tolleson #214	420029451	\$500.00
Office Depot	Osborn	42-11351	\$13,980.69
Paper Direct	Pendergast #92	42-0030527	\$53.93
Dorothy Gail Fixler	Osborn	42-55427	\$490.86
Diana Flax	Cave Creek	12-72231	\$142.29
Angelina A. Galaz	Isaac #5	12-79598	\$383.81
Luiz Hernandez	Creighton #14	12-76375	\$564.01
Karen Henrie	Ruth Fisher School	420065639	\$279.00
Karen Junk	Isaac #5	12-75391	\$161.61
Rebecca Love	District #089	42-14719	\$90.29
Rebecca Love	District #089	42-15591	\$194.86
Rebecca Love	District #089	42-5681	\$47.71
William Mandley	Superintendent/Schools	12-69089	\$604.84
Martha Moreno	Madison	12-76780	\$518.15
Manuel Edward Ochoa	Roosevelt #66	12-81100	\$222.67
Shareef J. Muhammad	Osborn	12-56267	\$34.63
Paper Plus	Pendergast	42-0014791	\$347.55
Arizona Dept. of Revenue	Aqua Fria #216	42-0051646	\$105.63
Arizona Dept. of Revenue	Aqua Fria #216	42-0050443	\$122.20
Arizona Dept. of Revenue	Aqua Fria #216	42-0048463	\$95.09
Arizona Dept. of Revenue	Aqua Fria #216	42-0047700	\$303.25

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Arizona Dept. of Revenue	Aqua Fria #216	42-0042510	\$91.45
Arizona Dept. of Revenue	Aqua Fria #216	42-0041431	\$1,082.35
Arizona Dept. of Revenue	Aqua Fria #216	42-0044313	\$90.16
Arizona Dept. of Revenue	Aqua Fria #216	42-0053604	\$271.85
Clark Security	Queen Creek #95	42-0050264	\$710.68
Tina Sly	Superintendent/Schools	42-0059790	\$672.51
Ikon Office Solutions	Tolleson	42-0050803	\$791.25
Beverly Lappen-Srvin	Mesa	72-0034257	\$147.76
Mary Stephenson	Cave Creek	12-64758	\$43.86
Mary Stephenson	Cave Creek	12-72263	\$87.73
Document Technologies	Aqua Fria #216	42-0056633	\$450.00
West Valley View	Aqua Fria #216	42-0056646	\$248.48
The Ice Wagon	Aqua Fria #216	42-0037641	\$105.00
Sargent-Welch	Aqua Fria #216	42-0050487	\$244.95

**STALE DATED WARRANTS**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the following claims are allowed. (ADM1816)

Dennis Clifton Neely	\$ 40.30	David F. Myrick	\$ 25.42
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**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the settlement of tax cases as follows. (ADM704)

CV 2001-014397 – Outside Counsel  
CV 2001-014398 – Outside Counsel  
CV 2001-014399 – Outside Counsel

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to schedule a public hearing on any Zoning and Building Code cases in the unincorporated areas of Maricopa County for February 20, 2002, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

**Z2001-74; Z2001-130; Z2001-140**

**CLASSIFICATION CHANGES**

Pursuant to A. R. S. §42-12054, motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Assessor's recommended classification changes and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

<b>PARCEL NUMBER</b>	<b>YEAR</b>	<b>OWNER</b>	<b>CLASS FROM</b>	<b>CLASS TO</b>
127-11-025	1999	Virginia Boren	LC/6	LC/5
127-11-025	2000	Virginia Boren	LC/4	LC/3

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127-11-025	2001	Virginia Boren	LC/4	LC/3
152-32-135	1999	Monica Reynolds	LC/6	LC/5
152-32-135	2000	Monica Reynolds	LC/4	LC/3
152-32-135	2001	Monica Reynolds	LC/4	LC/3
154-05-009	1999	Richard Smith	LC/6	LC/5
154-05-009	2000	Richard Smith	LC/4	LC/3
154-05-009	2001	Richard Smith	LC/4	LC/3
176-01-489	2000	Jeffrey Thill	LC/4	LC/3
176-01-489	2001	Jeffrey Thill	LC/4	LC/3
302-83-009N	2000	Gary/Jamie Thompson	LC/4	LC/3
302-83-009N	2001	Gary/Jamie Thompson	LC/4	LC/3

**COMPROMISES**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held January 14, 2002.) (ADM407)

Petra Alvarado-Hernandez	\$3,300.00
Jagger Griffin	2,100.00
Ronnie Jimenez	4,500.00
Herschel Johnson	2,600.00
Jennifer Koberski	9,500.00
Christopher Morrow	2,000.00
Donald Paskiewicz	5,000.00
Baltazar Peinado	1,000.00

**WRITE-OFF**

Motion was made by Supervisor Brewer, seconded by Supervisor Brock, and unanimously carried (5-0) to accept the requested write-off as payment in full for the following case: (Discussed in Executive Session held January 14, 2002.) (ADM407)

Eldina M. Manuel	\$13,090.27
Steven Mayes	18,038.28
Samuel Mosaati	31,242.56
Michael Powell	1,234.15

**PUBLIC COMMENT**

No member of the public came forward to comment at this time. (ADM605)

**SUPERVISORS' COMMENTS**

Supervisor Brock announced that Maricopa County has been delineated as one of two A - Rated Counties, out of a group of 40 of the largest counties in the United States, in a study by Syracuse University and Governing Magazine. He said this study had made the cover of the Washington Post on the East Coast and received wide news coverage in San Diego County (who received a lesser grade). He contacted the host of a local news talk show and asked why this information had been buried in the local media and the response had been, "We're not into 'attaboys' but if you guys do something

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scandalous, unpleasant or ugly we'll be all over it." He commented that he thought it was "an odd, or inappropriate twist, that we have to pat ourselves on the back for an accomplishment of this magnitude." He lauded David Smith, all the department heads and all the employees of Maricopa County for helping to make this possible, especially considering the near-bankrupt state the County was in during the mid-1990s. He also cited the people of Maricopa County because, he said, "We rely on the input we get from the people who live here." (ADM606)

Supervisor Kunasek said that three years ago, under the leadership of Supervisor Brewer, the County had begun the process of acquiring some additional lands for the White Tanks Regional Park, and they had taken then-Secretary of the Interior, Bruce Babbitt, on a walking tour through much of the land surrounding the Park. The acquisition process was started at that time. Yesterday it was announced that the White Tanks Park had been deeded those 4,000 acres by the federal government. He thanked Supervisor Brewer for her foresight and commitment to the open-space needs, current and future, for that portion of the County she represents. He indicated there were park acquisitions being undertaken in all parts of the valley and all the Supervisors were vitally interested in preserving these beautiful natural locations for future generations to enjoy.

Supervisor Brewer also lauded the reception of the deed for the additional 4,000 acres to the White Tank's parklands from the Bureau of Land Management. She said it will now be the largest county park in the world. She said the northwest valley will probably become the fastest growing part of Maricopa County if it isn't already, and having such a huge buffer as these parklands, in the center of all the growth is a wonderful thing for everyone in the County to use and take advantage of. She recalled that the application fee had only cost the County \$200 and said that this would be a wonderful addition to the County Park System under the guidance of Bill Scalzo.

Supervisor Brewer also mentioned that groundbreaking took place during the prior week for the expansion of the Superior Court facility in Surprise, saying this placed the Superior Court presence in the East Valley, downtown Phoenix and now in the West Valley. She reiterated that this area, she believes, will soon be the center of the Northwest Valley.

She reported that the \$800,000 federal grant for the telemedicine project instituted at the County jail will cut costs tremendously and is on the cutting-edge and far beyond that in any other county jail facility. She said that this Board had initiated many new functions that are brand new to this County and this only adds to the reasons that we all can "hold our heads high and know that we truly are the very best county in the country."

Supervisor Wilcox commented that this Board had seen many things accomplished because, for one reason, "when Supervisor Brewer gets interested in something and goes to work on it, things start happening." She congratulated Supervisor Brewer on the successful land acquisition for the White Tanks Park.

Chairman Stapley said, "This Board has worked very well together - across party lines, across philosophical lines - to really lead with a regional perspective. I represent the east side of the valley and Supervisor Brewer the west, but I'm as happy as she is about this BLM acquisition for the park system on the west side. We needed to do that. We need to continue to work together and continue to focus on all parts of the Valley as their needs arise."

**PLANNING AND ZONING**

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David Smith and Paul Golab left the dais at the end of the regular portion of the Board meeting. Members, as given above, remained in session. Lynn Favour, Assistant Director of Planning and Development, Darren Gerard, Chief Planner, and David Benton, County Counsel for Planning, came forward to present the following Planning and Zoning cases.

**CONSENT AGENDA DETAIL:**

1.     **S2001-036     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** East of the northeast corner of Gavilan Peak Parkway and Anthem Way (in the Anthem Area)  
      **Request:** Amended Final Plat in the C-2 P.D. zoning district for Anthem East-Side Mixed-Use Parcel 14 (approximately 30 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

2.     **S2001-055     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** On the south side of Daisy Mountain Drive just east of the 27th Avenue alignment (in the Anthem area)  
      **Request:** Final Plat in the R1-6 N.U.P.D. zoning district for Anthem Unit 35 (Approximately 30 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

3.     **S2001-056     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** Between Daisy Mountain Drive and Anthem Way, east of the 27th Avenue alignment (in the Anthem area)  
      **Request:** Final Plat in the R1-6 N.U.P.D. zoning district for Anthem Unit 23 (Approximately 40 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

4.     **S2001-057     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** Between Daisy Mountain Drive and Anthem Way, between the 19th Avenue and 27th Avenue alignments (in the Anthem area)  
      **Request:** Final Plat in the R1-10 N.U.P.D. zoning district for Anthem Unit 37 (Approximately 35 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

5.     **S2001-063     District 3**  
      **Applicant:** Stanley Consultants, Inc.

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**Location:** Between Daisy Mountain Drive and Anthem Way, east of the 19th Avenue alignment (in the Anthem area)  
**Request:** Final Plat in the R1-10 N.U.P.D. zoning district for Anthem Unit 29 (Approximately 28 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

6.     **S2001-068     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** Between Daisy Mountain Drive and Anthem Way, between the 19th Avenue and 27th Avenue alignments (in the Anthem area)  
      **Request:** Final Plat in the R1-10 NUPD zoning district for Anthem Unit 39 (Approximately 36 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

7.     **S2001-072     District 3**  
      **Applicant:** Stanley Consultants, Inc.  
      **Location:** On the south side of Anthem Way, between the 19th Avenue and 27th Avenue alignments (in the Anthem area)  
      **Request:** Final Plat in the R-2 N.U.P.D. zoning district for Anthem Unit 31 (Approximately 28 gross acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

8.     **S2001-095     District 4**  
      **Applicant:** Steven D. Campbell for Montana de Oro  
      **Location:** Northwest corner of 91st Avenue and Pinnacle Peak Road (in the north Peoria area)  
      **Request:** Final Plat in the R1-18 zoning district for Montana de Oro (approximately 22.24 acres)

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

**Z2000-050 was moved to the Regular Planning Agenda.**

9.     **Z2000-050     District 4**  
      **Applicant:** Bill and Tamra Gibbons for Marwest Enterprises, L.L.C.  
      **Location:** 2000' east of the southeast corner of Perryville Road and McDowell Road (in the Goodyear area.)  
      **Request:** Special Use Permit for a pet hotel (kennel), mini-warehouses and commercial storage of recreational vehicles (RVs) in the IND-3 zoning district for Gibbons Mini-Storage and Pet Hotel (5.0 acres)
10.    **Z2001-062     District 3**  
      **Applicant:** Stanley Consultants, Inc. for Anthem Arizona, L.L.C.



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**Location:** Approx. 1.5 miles southeast of the I-17/Anthem Way interchange (in the Anthem area)  
**Request:** Sliver rezone from R1-7 N.U.P.D. to C-2 P.D. for Anthem East-Side Mixed-Use Parcel 14 (0.51 acres)

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2001-062, subject to the following stipulations "a" through "c". Commissioner Jayne seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development shall be in accordance with the legal description entitled "Legal Description, Anthem ...", prepared by Stanley Consultants Inc., eight pages, dated May 4, 2001 and stamped received May 23, 2001, except as modified by the following stipulations.
- b. Development shall be in accordance with the zoning exhibit entitled "Anthem by Del Webb Exhibit to Accompany Legal Description, one page, prepared by Stanley Consultants Inc., dated May 4, 2001 and stamped received May 23, 2001, except as modified by the following stipulations.
- c. Previous stipulations of the Anthem Plan of Development (Z 95-53A, as amended Z2000-098) shall remain in effect, as may be applicable.

Motion was made by Supervisor Kunasek, seconded by Supervisor Brewer, and unanimously carried to approve the final plat.

**11. Z2001-147 District 1**  
**Applicant:** Starbridge Communications  
**Location:** Approx. 1700' west of Lindsey Road and approx. 880' north of Germann Road (in the Chandler/Gilbert area)  
**Request:** Amendment to a Special Use Permit for a wireless communication facility in the Rural-43 zoning district for Crown Castle (0.06 acres)

**COMMISSION ACTION:** Commissioner Beckley moved to recommend approval of Z2001-147, subject to the following stipulations "a" through "j". Commissioner Clayburg seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development and use of the site shall comply with the site plan entitled "Crown / Germann and Gilbert", consisting of seven full-size sheets, dated by the architect, November 19, 2001, and stamped received December 14, 2001, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Administrative Amendment to Z 00-150, Wireless Communication Facility, 14032 East Germann Road", consisting of four pages, dated November 30, 2001, and stamped received December 14, 2001 except as modified by the following stipulations.
- c. The height of the monopole, including any attachments, shall be limited to 84'.
- d. The access easement and parking space shall be surfaced with asphalt millings or another form of dust-proofing deemed acceptable by Environmental Services at the time of zoning clearance.

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- e. The access easement within County right-of-way shall be paved.
- f. This amended Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements, including the monopole, shall be removed within 60 days of such termination or expiration.
- g. Major changes to this Special Use Permit must be processed as a revised application in the same manner with approval by the Board of Supervisors following recommendation of the Planning and Zoning Commission. Staff of the Planning and Development Department may administratively approve minor changes. Co-location of other cellular communication facilities on this site shall be considered minor changes whenever possible.
- h. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control Department may be grounds for initiating a revocation of this special use permit as set forth in the Maricopa County Zoning Ordinance.
- i. Non-compliance with the condition of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance. Further, non-compliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- j. The applicant shall submit a written report outlining the status of this development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether additional site screening is warranted. Changes to the site plan to allow the necessary screening shall be processed as a minor amendment with administrative approval by planning staff.

**REGULAR AGENDA DETAIL:**

**This item, Z2000-050, was moved from the Consent Agenda.**

- 9. Z2000-050 District 4**  
**Applicant:** Bill and Tamra Gibbons for Marwest Enterprises, L.L.C.  
**Location:** 2000' east of the southeast corner of Perryville Road and McDowell Road (in the Goodyear area.)  
**Request:** Special Use Permit for a pet hotel (kennel), mini-warehouses and commercial storage of recreational vehicles (RVs) in the IND-3 zoning district for Gibbons Mini-Storage and Pet Hotel (5.0 acres)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2000-050, subject to the following stipulations "a" through "q". Commissioner Harris seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall comply with the site plan entitled "Site Plan for Special Use Permits... Gibbons Mini-Storage and Pet Hotel", consisting of three full-size sheets, dated July 24, 2001, dated by the engineer December 19, 2001, and stamped received December 18, 2001, except as modified by the following stipulations.

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- b. Development and use of the site shall comply with the narrative report entitled "Special Use Permit Application for Gibbons Mini-Storage and Pet Hotel", consisting of 77 bound pages including color and/or large-size exhibits, dated revised November 20, 2001, dated by the engineer December 19, 2001, and stamped received December 18, 2001, except as modified by the following stipulations.
- c. Dedication of additional rights-of-way to bring the total half-width dedication to 65' for McDowell Road shall occur prior to zoning clearance.
- d. The applicant shall construct ultimate improvements with curb and gutter for McDowell Road or post assurance for such improvements, at the discretion of the Department of Transportation.
- e. If air-cooled storage units are built, a minimum 24'-wide driveway aisle shall be maintained.
- f. Prior to the issuance of building permits, the applicant shall submit final grading and drainage plans to the Flood Control District of Maricopa County. All concerns raised by the Flood Control District shall be addressed prior to the issuance of any building permits.
- g. Chapter XI (Animals) of the Maricopa County Environmental Health Code must be strictly followed.
- h. To help mitigate the impact of noise from military aircraft, all residential units shall be constructed to achieve a 25-decibel noise reduction or adhere to relevant building code standards.
- i. No horses shall be allowed to be housed overnight on the subject property. Horses must be kept in fenced areas or corrals setback at least 20' from any property line. Permanent boarding of horses on the subject property will require a Major Amendment to the Special Use Permit.
- j. If Phase I and II are recorded as separate parcels, the applicant shall submit a Major Amendment to the Special Use Permit dividing the permit area along parcel lines.
- k. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- l. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 180 days of such termination or expiration.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.

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- n. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- o. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- p. Development of the site shall comply with all requirements of the applicable fire protection agency. The applicant shall provide written evidence of such compliance prior to zoning clearance.
- q. Prior to zoning clearance, the applicant shall submit landscape plans for the site to the Planning and Development Department for review.

Lynn Favour, Acting Director of Planning and Development, presented the Commission action in this request for a Special Use Permit in the Goodyear area and said it is generally consistent with the Goodyear Plan. There is no known opposition. She indicated that the applicant wanted to change stipulation "i" and that the Planning Commission and staff concur with this change.

Supervisor Brewer stated that this plan is in agreement with all development plans in effect and is also consistent with the agenda espoused by Luke Air Force Base.

Supervisor Brewer proposed the following amendment to stipulation "i": "The owner's horses shall be allowed to be housed overnight on the subject property, three head maximum. The horses must be kept in a fenced area or corral set back at least 20 feet from the property line. Permanent boarding of horses on the subject property will require a major amendment to the special use permit."

Motion was then made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "q" and including the amended stipulation "i" below.

- i. **The owner's** ~~No~~ horses shall be allowed to be housed overnight on the subject property **(3 head maximum)**. Horses must be kept in fenced areas or corrals setback at least 20' from any property line. Permanent boarding of horses on the subject property will require a Major Amendment to the Special Use Permit.

**12. Z 99-65 District 1 (This case continued from meeting of December 5, 2001.)**

**Applicant:** Joyce Biler for Ed Nassar  
**Location:** Southeast corner of the Galveston Street alignment and Power Road (in the southeast Gilbert/Mesa area)  
**Request:** Rezone from Rural-43 to C-3 C.U.P.D. with a Precise Plan of Development for a commercial center, T-Bar-J Ranch (approximately 5.16 acres)

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend denial of Z 99-65 as this request does not comply with the Mesa General Plan, which therefore violates Commission policy of supporting City Plans. In addition, there is no way of reconciling the uses occurring on the property with either the

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Mesa General Plan or the Maricopa County Zoning Ordinance. Commissioner Clayburg seconded the motion, which passed with a majority vote of 5-1, with Commissioner Jayne dissenting.

Lynn Favour, Acting Director of Planning and Development, presented the Commission action in this rezoning request. This item was originally heard by the Board of Supervisors in August of 2001 and was continued two different times to allow the applicant to submit a modified site plan. A plan was recently submitted but it needs further revision. Staff and Planning Commission recommend denial.

Supervisor Brock spoke with Mr. Nassar, the applicant, saying that the Board has had opposition from local municipalities and Williams Gateway Airport Authority regarding this matter. He reminded Mr. Nassar that he has had months of additional time to comply. He asked Mr. Nassar what else he would need to comply and what fault the different agencies have found with his application.

Mr. Nassar said he had experienced additional time delays with authorities in the approval process and he needed additional time. He said the engineering company he had hired had "messed it up" and now the Flood Control has said what needs to be done and MCDOT (Maricopa County Department of Transportation) has told him certain things to do and he needs more time to do them.

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to continue this item one last time to March 6, 2002. This is to be the final continuance. Mr. Nassar is to respond to the objections from the City of Mesa and Williams Gateway Airport Authority at that time.

- 13.     Z2001-034     District 4**  
**Applicant:** Heather Brigham  
**Location:** 53023 North Forepaugh Peak Road (in the Aguila area)  
**Request:** Special Use Permit for a riding & boarding stable in the Rural-190 zoning district for Heather Brigham Arena (36 acres)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2001-034, subject to the following stipulations "a" through "o". Commissioner Harris seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development and use of the site shall comply with the site plan entitled "Heather Brigham Life Estate" consisting of two full-size sheets, dated revised August 2001 and stamped received August 20, 2001 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Narrative report for Case Z2001034, Heather Brigham Arena" consisting of four pages, dated revised July 2001 and stamped received August 20, 2001 except as modified by the following stipulations.
- c. The applicant shall submit a written report outlining the status of the development at the end of five years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- d. This Special Use Permit shall expire 20 years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 90 days of such termination or expiration.

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- e. Septic systems shall be protected from flood irrigation.
- f. Prior to zoning clearance, an analysis of the existing septic system's ability to accommodate the use shall be submitted for approval to the Maricopa County Environmental Services Department.
- g. Chapter XI (Animals) of the Maricopa County Environmental Health Code must be strictly followed.
- h. Prior to clearance of permits related to recreational vehicular spaces of three or more, proof shall be submitted that demonstrates the facility has been licensed as a Trailer Coach Park by the Maricopa County Environmental Services Department.
- i. The maximum number of attendees at any one event shall be six.
- j. The maximum number of recreational vehicles parked onsite (occupied or otherwise) overnight shall be limited to the number of entitled RV spaces.
- k. The days and hours of operation for events shall be limited to Monday through Friday from 8:00 a.m. to 5:00 p.m.
- l. Horse boarding and utilization of the RV spaces not associated with a horse clinic is prohibited.
- m. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- n. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- o. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Lynn Favour, Acting Director of Planning and Development, presented the Commission action in this special use request. There is no known opposition and staff and the Planning Commission recommend approval.

Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval subject to stipulations "a" through "o."

- 14. Z2001-119 District 4**  
**Applicant:** RFA Incorporated for John and Sandy Garry

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**Location:** Southeast corner of 91st Ave. and Northern Ave. (in the west Glendale area)  
**Request:** Rezone from Rural-43 to C-2 C.U.P.D for Gary Chevron (1.22 acres)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2001-119, subject to the following stipulations "a" through "p". Commissioner Munoz seconded the motion, which passed with a unanimous vote 9-0.

- a. Development and use of the site shall comply with the site plan entitled "Plan of Development – Garry Chevron", consisting of four full-size sheets, date-stamped by the project engineer October 12, 2001, and stamped received October 15, 2001, except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Project Narrative for Garry Chevron", consisting of 11 pages, dated revised October 15, 2001, and stamped received October 15, 2001, except as modified by the following stipulations.
- c. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- d. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- e. All transformers, back-flow prevention devices, utility boxes and all other utility-related ground mounted equipment are to be painted to complement the development and are to be screened with landscape material where possible.
- f. In accordance with the variations approved under the C.U.P.D. plan referenced in stipulations 'a' and 'b' above, a perimeter screen wall will not be required until such time as residential development occurs on the adjacent property to the east and south. If the adjacent property to the east and south is developed for commercial use then the applicant must cooperate with the adjacent property owner to integrate the subject site into the overall commercial development.
- g. In accordance with the variations approved under the C.U.P.D. plan referenced in stipulations 'a' and 'b' above, individual parking lot lighting fixtures shall not exceed 20' in height and shall otherwise meet the outdoor light control provisions as outlined in Section 2318 of the Maricopa County Zoning Ordinance.
- h. In accordance with the variations approved under the C.U.P.D. plan referenced in stipulations 'a' and 'b' above, two double-faced monument signs will be allowed on site, with a maximum total area of 160 square feet each (single side) and an aggregate of 640 square feet (total both sides of both signs), and shall be placed outside of the clear-visibility sight triangle as shown on the approved C.U.P.D. plan referenced in stipulation 'a' above. There must be a distance of at least 120' between said monument signs.

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- i. Prior to zoning clearance, the applicant shall obtain a cross-access easement for both driveways from the adjacent property owner. The applicant shall share access with the property to the east and south.
- j. All interior parking, driveway and circulation areas are to be paved, with curbing provided.
- k. Well construction shall meet all applicable Federal, State, and County standards regarding construction, registration, and standards for an exempt well.
- l. All Federal, State and County standards regarding potable water quality, registration, and licensing of the system will be required before a certificate of occupancy will be issued. The Maricopa County Environmental Services Department will oversee inspection, compliance, and enforcement of this stipulation.
- m. All Federal, State and County standards regarding septic system construction, registration, and standards shall be met. The Maricopa County Environmental Services Department will oversee inspection, compliance, and enforcement of this stipulation.
- n. Major changes to this plan of development (site plan and narrative report) shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation for the planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- o. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- p. Parking lot light poles shall be limited to a maximum height of 18'.

Lynn Favour, Acting Director of Planning and Development, presented the Commission action in this rezoning request. The City of Glendale's General Plan shows this request is not in compliance, however, Glendale will be evaluating a plan update this month which would designate this site as a neighborhood commercial center, allowing the request to concur. However, the City of Glendale opposes this request and will not provide water and sewer service to the site at this time. More commercial development is expected to occur near the site. There will be additional stipulations with regards to necessary roadway improvements, not stipulated to above. The applicant does concur with these additions which could be added as stipulation "q" and "r" (stated here):

- q . Development shall be subject to the following MCDOT stipulations:**
  - i. Provide a total half-width of 65' right-of-way along Northern Avenue and 91st Avenue.**
  - ii. Install sidewalk and ADA ramp adjacent to Northern Avenue and 91st Avenue.**
  - iii. Bury irrigation ditch along Northern Avenue adjacent to the site.**
  - iv. Landscaping in ultimate County right-of-way must comply with Chapter 9 of the Roadway Design Manual.**
- r. The applicant/property owner shall hook-up to public water and sewer as soon as it is made available to the site.**



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Motion was made by Supervisor Brewer, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "p" and additional stipulations "q" and "r" as given above.

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Don Stapley, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board